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This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1973, and specifies how they are affected.

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Title 3—The President

PROCLAMATION 4219

World Environment Day

By the President of the United States of America

A Proclamation

As the astronauts of Skylab I orbit the earth in America's first manned space station, we are mindful once again of the essential unity of mankind—bound together by the finite resources of one small planet. One of the chief concerns of this and subsequent space missions will be the resources of the earth and the quality of its environment. As before, our findings will form the basis for positive contributions to our fellow man.

But we do not have to rely upon the results of space research to improve the earth's environment. All men and women have a personal role to play in this vital endeavor. The United Nations Conference on the Human Environment held last June, with the participation of one hundred and thirteen nations, was a reflection of the increased understanding of all mankind that environmental quality is everybody's business—superseding any temporary differences which may hamper relations between nations.

In response to a resolution of the Conference on the Human Environment, the United Nations General Assembly last December endorsed a recommendation reading, in part, as follows:

"The General Assembly . . . designates 5 June as World Environment Day and urges Governments and the organizations in the United Nations System to undertake on that day every year world-wide activities reaffirming their concern for the preservation and enhancement of the environment, with a view to deepening environmental awareness and to pursuing the determination expressed at the Conference."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do, in support of the action of the United Nations General Assembly, call on the people of the United States and United States Government agencies to observe June 5 as World Environment Day with appropriate ceremonies and activities emphasizing the concern of Americans for a better environment in which to live.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.



[FR Doc.73-11367 Filed 6-4-73;12:27 pm]

Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 9—Animals and Animal Products

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPECTION), DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—MANDATORY MEAT INSPECTION

PART 319—DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

Standard of Composition for Frankfurters and Certain Other Cooked Sausage Products

Statement of consideration.—On March 14, 1973, there appeared in the FEDERAL REGISTER (38 FR 6898-6900), a notice of proposed rulemaking under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), to amend the standard for frankfurters and certain other cooked sausage products to designate different ingredient and labeling requirements for the specified kinds of cooked sausages. The notice contained substitute proposed standards for the products with provisions that were based on the information and data submitted in relation to the initial proposal that was announced in the December 23, 1972, FEDERAL REGISTER. Typographical errors in the initial proposal were corrected by an appropriate notice in the December 28, 1972, FEDERAL REGISTER.

The proposals in the notices were to provide for implementation of the May 5, 1971, order of the U.S. District Court for the District of Columbia as modified by the U.S. Court of Appeals for the District of Columbia in the case of *Federation of Homemakers vs. Earl L. Butz, et al.* (No. 71-1611). The order, as modified, enjoins the Department from permitting the term "All Meat" or "All (Species)" to be included on labels for sausages within the meaning of § 319.180 of the Federal meat inspection regulations, and requires the Secretary "to develop, prescribe and submit to the district court revised labels that accurately and without deception distinguish the different types of frankfurters from each other and from competitive meats." Compliance with the principal provisions of the order was originally required by March 19, 1973, but this period was later extended by the district court to and including September 6, 1973. In order to comply with such order, it is necessary to consider what ingredients will be permitted in the various sausage products, so that a proper decision can be made with respect to their labeling. In that connection, the notices sought comments on the ingredients to be included in the various cooked sausage varieties and the labeling requirements to be associated

with the various kinds of cooked sausages to insure they are identified informatively and without deception to the public. Background information concerning the proposals was included in the FEDERAL REGISTER notices.

A total of 126 written submissions containing views and conclusions on the proposed standards were received within the comment period provided in the March 14, 1973, notice and which expired April 17, 1973. The majority of the submissions were from meat processors or their trade organizations and consumers.

The submissions on the revised proposed standards as described in the March 14, 1973, FEDERAL REGISTER notice contained very little new or additional information on the products or their compositions and labeling. The comments in the submissions in general indicated substantial concurrence with the provisions in the standards as proposed.

The Federal Food and Drug Administration signified agreement with the proposed standards as did the comments from State officials except they also contained several suggestions on the labeling of the products.

A number of the submissions recommended changes be considered in some of the labeling details of the proposed standards for the purpose of providing for more specific product identification or because of the influence of several merchandising circumstances usually associated with the distribution of cooked sausages and similar meat products. The principal changes recommended for incorporation into the standards for the cooked sausage products, the reasons cited in their support, and the conclusions of the Department on each are as follows:

1. To include the name of the meat ingredient in the designations for a sausage composed of a particular species of meat combined with functional substances, e.g., "beef frankfurter." It was contended that such a name would enhance consumer opportunities to quickly differentiate between the various types of cooked sausages and competing similar meat products displayed for retail selections. In support of this recommendation, it was argued that in a number of important marketing areas of the country, there is a decided consumer preference for cooked sausages made with a particular kind of meat, specifically beef, and that the labeling of an article should include a completely descriptive name, for example, "beef frankfurter," to assist consumers by providing for easy recognition of the preferred product. On the other hand, it was asserted that it is not

uncommon for a particular consumer to desire to avoid sausages and other such products containing certain varieties of meat and that this type of a labeling arrangement would permit them to do so with a minimum of effort and time. It was also pointed out that this labeling pattern is customarily used with a wide range of products, such as "beef stew," "chicken pie," "corned beef hash," to cite some familiar examples, that are composed of a number of ingredients besides meat but in which the meat named in the product designation is the most valuable constituent.

This product identification recommendation was thoroughly considered in relation to the Department's labeling records which indicate such labeling has been and is at present customarily used in a number of important cooked sausage marketing areas to designate the products made with meat from a single species. It appears, therefore, that a continuation of this established practice would be in the public interest since it provides for familiar product designations to be used by consumers for quick reference in choosing between sausages made with different kinds of meats.

2. To lessen the prominence as would be required by the revised proposed standards in the supplemental labeling phrase "with byproducts" or "with variety meats," on the grounds that many of the containers used with consumer size packages of sausages have inadequate space to accommodate the display of the labeling feature as prominently as proposed. Observations by USDA staff members confirm that packages with 4 to 6 oz of sliced bologna or 8 oz of frankfurters and knockwurst or 4 oz metal containers of vienna sausage are quite frequently used in the merchandising of cooked sausage products. It is also evident that labels for such articles must be made to conform to the size of the containers and consequently space for the display of labeling features is usually extremely limited. The observations also indicate that the obscurity of essential labeling features can readily become a problem when the crowding of label features occurs due to inadequate space for the required labeling matter.

The Department's labeling requirements for sausages have for many years included provisions for the mandatory display with the product name of supplementary statements that describe certain product properties, e.g., "Nonfat Dry Milk Added" or "Artificially Colored." In deference to space limitations frequently associated with numerous product labels, minimum size specifications for such supplementary statements have

not been designated. It has been required that such labeling features be of sufficient size and color, in relation to their backgrounds, to function adequately for their intended purposes in the identification of the products. The features are judged on such criteria when labels are submitted to the Department for approval prior to use with products.

In the interest of insuring the best possible labeling in relation to the frequent problem of space limitations, there appears to be justification to omit specific minimum size of print requirements in the standards for the supplemental phrase "with byproducts" or "with variety meats" and to provide for such labeling features to be prominently displayed and contiguous to the generic name, e.g., "Frankfurter," and for all terms to be shown in the same color on an identical background.

3. To recognize the term "hotdog" as a common or usual designation for the cooked sausage classed as a "frankfurter" and to indicate that the standards apply equally to the sausage products labeled "frankfurters," "franks," "furters," or "hotdogs."

The frequent references to "hotdogs" in news stories about frankfurters and in advertisements for this particular sausage indicate support for the claim that the term is meaningful to consumers for product identification purposes. Also, the Department's label records indicate that the abbreviated versions of the designation "frankfurter," i.e., "frank" and "furter," have been used interchangeably for many years in the labeling of the same type of cooked sausage product.

Other nonsubstantive changes were made for purposes of clarification.

After full and careful consideration of all the comments submitted in regard to the FEDERAL REGISTER notices on the proposed sausage standards, and the other detailed information of importance on the products available to the Department, it is concluded that the regulations should be amended to provide for the following identifications of "cooked sausages:"

1. A cooked sausage made primarily with raw skeletal muscle meat, but which could also include up to 15 percent raw or cooked poultry meat, combined with required functional agents such as water, salt, sweeteners, and curing substances, would be required to be labeled by its generic name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst. Such products prepared with meat from a single species would be labeled with the term designating the particular species in conjunction with the generic name, e.g., "beef frank."

2. A cooked sausage made with at least 15 percent raw skeletal muscle meat combined with raw byproducts, or made with at least 15 percent raw skeletal muscle meat combined with raw byproducts and up to 15 percent raw or cooked poultry products, combined with required functional agents such as water, salt, sweeteners, and curing substances would be required to be labeled by its generic

name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst, in conjunction with the phrase "with byproducts" or "with variety meats" and with such phrase prominently displayed directly contiguous to the generic name and shown in the same color as the generic name and on an identical background.

3. A cooked sausage made with the ingredients described in item 1 or 2 above, but which contains one or more of the approved nonmeat binder materials that are functionally distinctive ingredients, such as "calcium reduced dried skim milk," would be required to be labeled with the generic name of the cooked sausage together with the name of the binder, e.g., "Frankfurter, Calcium Reduced Dried Skim Milk Added," and with a reference to byproducts (or variety meats) if present, e.g., "Bologna, with Variety Meats, Soy Flour Added."

In order to enable compliance with the court order by September 7, 1973, the following amendments of the regulations in 9 CFR part 319 are made:

1. Subpart G is amended to read: "Subpart G—Cooked Sausage" and subpart H is reserved.

2. Section 319.180 is amended to read:

§ 319.180 Frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, knockwurst, and similar products.

(a) Frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, knockwurst and similar cooked sausages are comminuted, semisolid sausages prepared from one or more kinds of raw skeletal muscle meat or raw skeletal muscle meat and raw or cooked poultry meat, and seasoned and cured, using one or more of the curing agents in accordance with § 318.7(c) of this chapter. They may or may not be smoked. The finished products shall not contain more than 30 percent fat. Water or ice, or both, may be used to facilitate chopping or mixing or to dissolve the curing ingredients but the sausage shall contain no more than 10 percent of added water. These sausage products may contain uncooked, cured pork from primal parts as defined in § 316.9(b) of this chapter, which do not contain any phosphates or contain only phosphates approved under part 318 of this chapter. Such products may contain raw or cooked poultry meat not in excess of 15 percent of the total ingredients, excluding water, in the sausage. Such poultry meat ingredients shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of § 381.118 of this chapter.

(b) Frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, knockwurst and similar cooked sausages that are labeled with the phrase "with byproducts" or "with variety meats" in the product name are comminuted, semisolid sausages consisting of not less than 15 percent of one or more kinds of raw skeletal muscle meat with raw meat byproducts, or not less than 15 percent of one or more kinds of raw

skeletal muscle meat with raw meat byproducts and raw or cooked poultry products; and seasoned and cured, using one or more of the curing ingredients in accordance with § 318.7(c) of this chapter. They may or may not be smoked. Partially defatted pork fatty tissue or partially defatted beef fatty tissue, or a combination of both, may be used in an amount not exceeding 15 percent of the meat and meat byproducts or meat, meat byproducts, and poultry products ingredients. The finished products shall not contain more than 30 percent fat. Water or ice, or both, may be used to facilitate chopping or mixing to dissolve the curing and seasoning ingredients, but the sausage shall contain no more than 10 percent of added water. These sausage products may contain uncooked, cured pork which does not contain any phosphates or contains only phosphates approved under part 318 of this chapter. These sausage products may contain poultry products, individually or in combination, not in excess of 15 percent of the total ingredients, excluding water, in the sausage. Such poultry products shall not contain kidneys or sex glands. The amount of poultry skin present in the sausage must not exceed the natural proportion of skin present on the whole carcass of the kind of poultry used in the sausage, as specified in § 381.117(d) of this chapter. The poultry products used in the sausage shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of § 381.118 of this chapter. Meat byproducts used in the sausage shall be designated individually in the ingredient statement on the label for such sausage in accordance with § 317.2 of this chapter.

(c) A cooked sausage as defined in paragraph (a) of this section shall be labeled by its generic name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst. Sausage products within paragraph (a) of this section that are prepared with meat from a single species of cattle, sheep, swine, or goats shall be labeled with the term designating the particular species in conjunction with the generic name, e.g., "Beef Frankfurter."

(d) A cooked sausage as defined in paragraph (b) of this section shall be labeled by its generic name, e.g., frankfurter, frank, furter, hotdog, wiener, vienna, bologna, garlic bologna, or knockwurst, in conjunction with the phrase "with byproducts" or "with variety meats" with such supplemental phrase shown in a prominent manner directly contiguous to the generic name and in the same color on an identical background.

(e) With appropriate labeling as required by § 317.8(b) (16) of this chapter, e.g., "Frankfurter, Calcium Reduced Dried Skim Milk Added," or "Bologna, with Byproducts (or Variety Meats), Soy Flour Added," one or more of the following binders may be used in cooked

sausage otherwise complying with paragraph (a) or (b) of this section: Dried milk, calcium reduced dried skim milk, nonfat dry milk, cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein, provided such ingredients, individually or collectively, do not exceed 3½ percent of the finished product, except that 2 percent of isolated soy protein shall be deemed to be the equivalent of 3½ percent of any one or more of the other binders.

(f) Cooked sausages shall not be labeled with terms such as "All Meat" or "All (Species)," or otherwise to indicate they do not contain nonmeat ingredients or are prepared only from meat.

(g) For the purposes of this section: Poultry meat means deboned chicken meat or turkey meat, or both, without skin or added fat; poultry products mean chicken or turkey, or chicken meat or turkey meat as defined in § 381.118 of this chapter, or poultry byproducts as defined in § 381.1 of this chapter; and meat byproducts (or variety meats), mean pork stomachs or snouts; beef, veal, lamb, or goat tripe; beef, veal, lamb, goat, or pork hearts, tongues, fat, lips, weasands, and spleens; and partially defatted pork fatty tissue, or partially defatted beef fatty tissue.

(Secs. 7 and 21, 34 Stat. 1262 and 1264, as amended, 21 U.S.C. 607, 621; 37 FR 28464.)

It does not appear that further public participation in rulemaking proceedings on the amendments to provide revised standards for cooked sausages would make additional information available to the Department.

Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and other public rulemaking procedures on the amendments are impracticable and unnecessary.

The foregoing amendments to the regulations shall become effective September 7, 1973.

Done at Washington, D.C. on May 30, 1973.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc.73-11165 Filed 6-4-73;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z]

PART 226—TRUTH IN LENDING

Daily Periodic Rate; Computation of Annual Percentage Rate

This interpretation relates to technical provisions of regulation Z which prescribe the procedures to be used by a creditor in computing the annual percentage rate disclosed to a customer on his billing statement on an open end credit account, such as a revolving charge account at a department store, or a bank credit card, or check overdraft plan. The interpretation clarifies the method of

computation of the annual percentage rate when daily periodic rates (rates that are applied to each day's outstanding balance) are used in figuring the finance charge on the account.

§ 226.506 Daily periodic rate; computation of the annual percentage rate.

(a) Under §§ 226.5(a) (1) (ii), (3) (i), and (3) (ii), the quotient used in computing the annual percentage rate in open end credit accounts must be multiplied by the number of billing cycles in a year. The question arises as to the method which should be used to compute the annual percentage rate under those sections where a daily periodic rate (or rates) is used.

(b) In any open end credit account to which the provisions of §§ 226.5(a) (1) (ii) or 226.5(a) (3) (i) apply, where all or a portion of the finance charge is determined by the application of one or more daily periodic rates, the annual percentage rate may be determined (1) by dividing the total finance charge by the average of daily balances and multiplying the quotient by the number of billing cycles in a year, or alternatively (2) by dividing the total finance charge by the sum of the daily balances and multiplying the quotient by 365.

(c) In any open end credit account to which the provisions of § 226.5(a) (3) (ii) apply, where a portion of the finance charge is determined by application of one or more daily periodic rates, the phrase "sum of the balances" in footnote 5a shall also mean the average of daily balances.

(Interprets and applies 15 U.S.C. 1606)

This interpretation is effective June 1, 1973.

By order of the Board of Governors,
May 22, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11152 Filed 6-4-73;8:45 am]

[No. 73-747]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

PART 531—STATEMENTS OF POLICY

Amendments Relating to Policy on Bank Advances

MAY 29, 1973.

The Federal Home Loan Bank Board considers it desirable to amend §§ 531.1 and 531.3 of the regulations for the Federal Home Loan Bank System (12 CFR 531.1, 531.3) for the purpose of revising the Board's statements of policy regarding advances by Federal Home Loan Banks to member institutions.

Said § 531.1 is amended by rescinding the third sentence of paragraph (f) thereof. That sentence states, "Advances should not be extended to meet those foreseeable needs of a member which can reasonably be met from a member's own resources." This policy no longer obtains

because it was based upon a distinction between withdrawal advances and expansion advances which is no longer followed. The intent of the advances policy is that the Board wishes the banks to encourage their member institutions to obtain commitments for needs which are foreseeable.

Said § 531.3 is amended by rescinding paragraphs (a), (b), and (e) thereof and redesignating paragraphs (c) and (f) thereof as paragraphs (a) and (b) respectively. Present paragraph (a) of § 531.3 is rescinded because advances are no longer differentiated on the basis of purpose—withdrawal advances and expansion advances, but rather on the basis of term. Present paragraph (b) of § 531.3 is rescinded because it is inconsistent with the present policy of offering and encouraging fixed-rate, fixed-term advances. Present paragraph (e) of § 531.3 is rescinded because the advances policy is no longer specifically based upon scheduled items.

Accordingly, the Federal Home Loan Bank Board hereby amends paragraph (f) of said § 531.1 and said § 531.3 both to read as set forth below, effective June 5, 1973.

§ 531.1 General policy on advances.

(f) The use of advances to permit members to obtain what is primarily the advantage of rate differential rather than to meet clearly visible needs for funds should be avoided. Similarly, advances for any purpose not consistent with the intent of the Federal Home Loan Bank Act should be denied. Members should not seek credit in anticipation of withdrawals, and credit should not be granted to increase cash positions, to purchase Government securities, or to acquire other investment securities except to the extent that the applicant is reestablishing the association's normal liquidity.

§ 531.3 Supplemental statement of policy on advances.

(a) Commitments should not exceed reasonable levels giving due consideration to all factors pertaining to a member's condition and operating situation. Moreover, member institutions should control commitments by giving due regard to reasonably anticipated cash flows, the requirements of the residential mortgage market, and the availability of credit from a member's bank based on discussion with the bank.

(b) Loan officers of regional banks are expected to examine each advance application in prudent detail. Previous credit determinations certainly do not preclude such examinations, nor acceptance, rejection or modification of the proposed loan application. Particular attention shall be given to precise purposes of the proposed advance and the type of properties and transactions for which the funds are sought.

(Secs. 10, 17, 47 Stat. 731, 736, as amended; 12 U.S.C. 1430, 1437. Reorganization Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943-48 Comp., p. 1071.)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[FR Doc. 73-11177 Filed 6-4-73; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 7175, Amdt. 39-1655]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Viscount Model 744, 745D, and 810 Series Airplanes

A proposal to amend part 39 of the "Federal Aviation Regulations" to include an airworthiness directive requiring periodic inspection of the nacelle structure tubes and end fittings for cracks and internal corrosion, and replacement, if necessary, on BAC Viscount model 744, 745D, and 810 series airplanes, to supersede amendment 39-231 (31 FR 6790), AD 66-12-3, was published in the FEDERAL REGISTER on January 12, 1973, at 38 FR 1396.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No comments were received.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of part 39 of the "Federal Aviation Regulations" is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount model 744, 745D, and 810 series airplanes.

Compliance is required as indicated.

To prevent failures of the nacelle structure tubes and end fittings on high time engine nacelle structures due to fatigue and corrosion, accomplish the following:

(a) For airplanes which have not been inspected in accordance with paragraph (h) of AD 66-12-3 prior to the effective date of this AD:

(1) Within the next 500 landings or 12 calendar months, whichever occurs sooner, after the effective date of this AD, and thereafter at intervals not to exceed 7,500 landings from the last inspection, comply with paragraph (e); and

(2) Within the next 500 landings after the effective date of this AD or before the accumulation of 19,000 total landings, whichever occurs later, and thereafter at intervals not to exceed 7,500 landings from the last inspection, comply with paragraph (d).

(b) For airplanes which have accumulated 5,500 or more landings since compliance with paragraph (h) of AD 66-12-3, within the next 2,000 landings after the effective date of this AD, or before the accumulation of 19,000 total landings, whichever occurs later, and thereafter at intervals not to exceed 7,500 landings from the last inspection, comply with paragraphs (d) and (e).

(c) For airplanes which have accumulated less than 5,500 landings since compliance with paragraph (h) of AD 66-12-3 on the effective date of this AD, within the next 7,500 landings after compliance with

paragraph (h) of AD 66-12-3 or, before the accumulation of 19,000 total landings, whichever occurs later, and thereafter at intervals not to exceed 7,500 landings from the last inspection, comply with paragraphs (d) and (e).

(d) Inspect the engine nacelle structure tubes and end fittings for cracks at the positions specified for the applicable technique in figures 1 and 2 of British Aircraft Corp. (BAC) Ltd., preliminary technical leaflet (PTL) No. 258, issue 4 (700 series), dated August 31, 1971, or No. 122, issue 4 (800/810 series), dated August 31, 1971, using dye penetrant, radiographic, and ultrasonic resonance methods in accordance with techniques 1, 3, and 4, respectively, of the applicable PTL or an FAA-approved equivalent.

(e) Inspect the engine nacelle structure tubes for internal corrosion at the positions specified for technique 2 in figures 1 and 2 of BAC Ltd. PTL No. 258, issue 4 (700 series), dated August 31, 1971, or No. 122, issue 4 (800/810 series), dated August 31, 1971, using the radiographic method in accordance with technique 2 of the applicable PTL or an FAA-approved equivalent.

(f) If, during an inspection required by paragraph (a), (b), or (c), any end fittings are found cracked, or any tubes are found cracked or corroded beyond the limits specified in the applicable PTL, before further flight replace the affected parts with serviceable parts of the same part number.

This supersedes amendment 39-231 (31 FR 6790), AD 66-12-3.

This amendment becomes effective July 5, 1973.

Issued in Washington, D.C., on May 25, 1973.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc. 73-11120 Filed 6-4-73; 8:45 am]

[Airspace Docket No. 73-SO-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On April 18, 1973, a notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 9593), stating that the Federal Aviation Administration was considering an amendment to part 71 of the "Federal Aviation Regulations" that would alter the Statesville, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. All comments received were favorable.

In consideration of the foregoing, part 71 of the "Federal Aviation Regulations" is amended, effective 0901 G.m.t., August 16, 1973, as hereinafter set forth.

In § 71.181 (38 FR 435), the Statesville, N.C., transition area is amended as follows:

"* * * within a 5-mile radius of Statesville Municipal Airport * * *" is deleted and "* * * within a 7-mile radius of Statesville Municipal Airport * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in East Point, Ga., on May 24, 1973.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc. 73-11121 Filed 6-4-73; 8:45 am]

[Airspace Docket No. 72-SO-120]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Designation of Mayaguez, Puerto Rico, Control Zone

On March 26, 1973, a notice of proposed rulemaking (NPRM), was published in the FEDERAL REGISTER (38 FR 7813) stating that the Federal Aviation Administration (FAA) was considering an amendment to part 71 of the "Federal Aviation Regulations" that would designate the Mayaguez, Puerto Rico, control zone.

Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of comments. No objections were received.

In the description of the Mayaguez, Puerto Rico, control zone the true and magnetic values of the Mayaguez VOR radial were inadvertently transposed. Action is taken herein to correct this error.

In consideration of the foregoing, part 71 of the "Federal Aviation Regulations" is amended, effective 0901 G.m.t., July 10, 1973, as hereinafter set forth.

In § 71.171 (38 FR 351) the Mayaguez, P.R., control zone is added:

MAYAGUEZ, P.R.

Within a 5-mile radius of Mayaguez Airport (Lat. 18°15'26" N., long. 67°08'68" W.); within 3 miles each side of Mayaguez VOR 252° radial, extending from the 5-mile-radius zone to 8.5 miles west of the VOR. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the FAA publication, "International NOTAMS."

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510, Executive Order 10854 (24 FR 9565); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Washington, D.C., on May 23, 1973.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 73-11122 Filed 6-4-73; 8:45 am]

[Airspace Docket No. 73-NW-11]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to part 73 of the "Federal Aviation Regulations" is to consolidate and reduce the combined volume of restricted areas R-6703 and R-6704, Fort Lewis, Wash.

The U.S. Army has requested that portions of restricted areas R-6703 and R-6704, which have become unneeded,

be excluded from these two joint-use restricted areas. Also the Army has requested that the remaining airspace be consolidated into a new restricted area, R-6703, and it be further subdivided into four subareas, A, B, C, and D. The overall size of the proposed restricted area will be reduced and the maximum altitudes and time of designation will remain the same as presently designated. The overall result to the public will be a release of restricted airspace.

This reduction of restricted airspace is a minor amendment in which the public is not particularly interested, therefore, notice and public procedure hereon are unnecessary. In order to make the unneeded airspace available to the public as soon as possible, the amendment may be effective in less than 30 days notice.

In consideration of the foregoing, part 73 of the "Federal Aviation Regulations" is amended, effective upon publication in the FEDERAL REGISTER as hereinafter set forth.

In § 73.67 (38 FR 675), restricted area R-6703, Fort Lewis, Wash., is amended to read as follows:

1. R-6703 FORT LEWIS, WASH.

SUBAREA A

Boundaries

Beginning at latitude 47°03'08" N., longitude 122°41'05" W.; to latitude 47°04'35" N., longitude 122°41'05" W.; to latitude 47°04'42" N., longitude 122°38'15" W.; to latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 46°58'17" N., longitude 122°37'40" W.; thence via the Nisqually River to point of beginning.

Designated altitudes.—Surface to 14,000 feet MSL.

Time of designation.—Continuous.

Controlling agency.—Federal Aviation Administration, McChord approach control.

Using agency.—Commanding General, Fort Lewis, Wash.

SUBAREA B

Boundaries

Beginning at latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 47°02'36" N., longitude 122°34'48" W.; to latitude 47°00'46" N., longitude 122°34'48" W.; to latitude 47°00'00" N., longitude 122°35'35" W.; to latitude 46°58'17" N., longitude 122°37'40" W.; to point of beginning.

Designated altitudes.—Surface to 5,000 feet MSL.

Time of designation.—Continuous.

Controlling agency.—Federal Aviation Administration, McChord approach control.

Using agency.—Commanding General, Fort Lewis, Wash.

SUBAREA C

Boundaries

Beginning at latitude 46°58'17" N., longitude 122°37'40" W.; to latitude 46°54'35" N., longitude 122°41'25" W.; to latitude 46°54'18" N., longitude 122°43'32" W.; to latitude 46°55'12" N., longitude 122°44'30" W.; to latitude 47°03'08" N., longitude 122°41'05" W.; thence via the Nisqually River to point of beginning.

Designated altitudes.—Surface to 14,000 feet MSL.

Time of designation.—Continuous.

Controlling agency.—Federal Aviation Administration, McChord approach control.

Using agency.—Commanding General, Fort Lewis, Wash.

SUBAREA D

Boundaries

Beginning at latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 47°02'14" N., longitude 122°32'15" W.; to latitude 47°01'48" N., longitude 122°31'38" W.; to latitude 47°01'00" N., longitude 122°31'37" W.; to latitude 47°00'42" N., longitude 122°33'12" W.; to latitude 47°00'30" N., longitude 122°33'16" W.; to latitude 47°00'00" N., longitude 122°35'35" W.; to latitude 47°00'46" N., longitude 122°34'48" W.; to latitude 47°02'36" N., longitude 122°34'48" W.; to point of beginning.

Designated altitudes.—Surface to 5,000 feet MSL.

Time of designation.—Continuous.

Controlling agency.—Federal Aviation Administration, McChord approach control.

Using agency.—Commanding General, Fort Lewis, Wash.

2. In § 73.67 (38 FR 675) the Fort Lewis, Wash., restricted area R-6704 is revoked.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Washington, D.C., on May 23, 1973.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 73-11123 Filed 6-4-73; 8:45 am]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL
OPERATING RULES

[Reg. Docket No. 12860; Amdt. 95-233]

PART 95—IFR ALTITUDES

Recent Changes and Additions

The purpose of this amendment to part 95 of the "Federal Aviation Regulations" is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current change-over points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), part 95 of the "Federal Aviation Regulations" is amended, effective June 21, 1973, as follows:

1. By amending subpart C as follows:
Section 95.115 *Amber Federal airway 15* is amended to read in part:

From; to; and MEA.

Beaver INT, Alaska; *Chandalar Lake, Alaska, IFR/RBN; **7,000. *10,000—MCA Chandalar Lake IFR/RBN, northwest-bound. **6,900—MOCA.

Section 95.227 *Red Federal airway 27* is amended to read:

Summit, Alaska, IFR/RBN; Nenana, Alaska, IFR; *9,500. *8,700—MOCA.

Nenana, Alaska, IFR; Fairbanks, Alaska, IFR; *4,000. *2,600—MOCA.

Section 95.626 *Blue Federal airway 26* is amended to read in part:

*Talkeetna, Alaska, IFR/RBN; Summit, Alaska, IFR/RBN; **10,000. *5,000—MCA Talkeetna IFR/RBN, north-bound. **8,300—MOCA.

Summit, Alaska, IFR/RBN; *Wolf INT, Alaska; **9,500. *4,700—MCA Wolf INT, south-bound. **8,700—MOCA.

Section 95.1001 *Direct routes—United States* is amended by adding:

Temple, Tex. VOR; Acton, Tex. VOR; *2,700. *2,100—MOCA.

Int. 058 rad Seal Beach VOR and 343 M rad Santa Ana VOR; Diamond INT, Calif.; *4,000. *3,500—MOCA.

Section 95.1001 *Direct routes—United States* is amended to delete:

Jacksonville, Fla. VOR; Waverly INT, Ga.; *1,800. *1,300—MOCA.

Savannah, Ga. VOR; Browntown INT, Ga.; *2,000. *1,500—MOCA.

Browntown INT, Ga.; Waverly INT, Ga.; *2,500. *1,300—MOCA.

Section 95.1001 *Direct routes—United States* is amended to read in part:

*Homer, Alaska, IFR; Granite INT, Alaska, via control 1218; **7,500. *5,000—MCA Homer IFR, southeast-bound. **7,300—MOCA.

Bahama Routes

Section 95.1001 *Direct routes—United States.*

From; to; and MEA

1 *Lima* is amended to read:

Satellite, Fla. NDB; *Coconut INT, Bh.; **2,000. *11,400—MCA Coconut INT, southeast-bound. **1,400—MOCA. Coconut INT, Bh.; Grand Bahama, Bh. NDB; 16,000.

Grand Bahama, Bh. NDB; *Deep Water INT, Bh.; 16,000. *15,000—MCA Deep Water INT, northwest-bound.

Deep Water INT, Bh.; Eleuthera, Bh. NDB; *2,000. *1,300—MOCA.

Eleuthera, Bh. NDB; Int. 319 M rad from Grand Turk NDB and 126 M rad from Eleuthera NDB; *2,000. *1,300—MOCA.

Int. 319 M rad from Grand Turk NDB and 126 M rad from Eleuthera NDB; Abraham INT, Bh.; *2,000. *1,200—MOCA.

Abraham INT, Bh.; Grand Turk, Bh. NDB; *2,000. *1,300—MOCA.

6 *Lima* is amended to read:

Rock Sound, Bh. NDB; Eleuthera, Bh. NDB; *2,000. *1,400—MOCA.

Eleuthera, Bh. NDB; Malcolm INT, Bh.; *2,000. *1,400—MOCA.

Malcolm INT, Bh.; Powell INT, Bh.; *2,000. *1,100—MOCA.

Powell INT, Bh.; Bemini, Bh. NDB; *2,000. *1,300—MOCA.

7 *Lima* is amended to read:

Nassau, Bh. NDB; Powell INT, Bh.; *2,000. *1,400—MOCA.

Powell INT, Bh.; High Rock INT, Bh.; *2,000. *1,300—MOCA.

High Rock, INT, Bh.; Freeport, Bh. NDB; *2,000. *1,400—MOCA.

Freeport, Bh. NDB; West End, Bh. NDB; *2,000. *1,400—MOCA.

West End, Bh. NDB; Hallbut INT, Bh.; *2,000. *1,300—MOCA.

Hallbut INT, Bh.; Rubin, Fla. NDB; *2,000. *1,500—MOCA.

8 *Lima* is amended to read:

Plantation, Fla. NDB; Freeport, Bh. NDB; *2,000. *1,400—MOCA.
 Freeport, Bh. NDB; Marsh Harbour, Bh. NDB; *2,000. *1,400—MOCA.
 Marsh Harbour, Bh. NDB; Elbo INT, Bh.; *2,000. *1,200—MOCA.

10 Lima is amended to delete:

From; to; and MEA.

Portland, Fla. NDB; Grand Bahama, Bahama NDB; *2,000. *1,400—MOCA.

20 Lima is added to read:

Eleuthera, Bh. NDB; Malcolm INT, Bh.; *2,000. *1,400—MOCA.
 Malcolm INT, Bh.; Deep Water INT, Bh.; *2,000. *1,300—MOCA.
 Deep Water INT, Bh.; Freeport, Bh. NDB; *2,000. *1,400—MOCA.
 Freeport, Bh. NDB; *Coconut INT, Bh.; *2,000. *11,400—MCA Coconut INT, southeast-bound. *1,400—MOCA.
 Coconut INT, Bh.; Satellite, Fla. NDB; *2,000. *1,400—MOCA.

Puerto Rico Routes

Section 95.1001 *Direct routes—United States:*

Route 3 is amended by adding:

San Juan, P.R., VOR; *Marlin INT, P.R.; *1,500. *2,500—MRA. *1,400—MOCA.

Route 3 is amended to delete:

San Juan, P.R., VORTAC; *Mangrove INT, P.R.; *1,500. *2,500—MRA. *1,400—MOCA.
 Mangrove INT, P.R.; *Marlin INT, P.R.; *1,500. *2,500—MRA. *1,400—MOCA.

Section 95.6003 *VOR Federal airway 3* is amended by adding:

Ipswich, INT, Mass.; Pease, N.H., VOR; *2,000. *1,300—MOCA.
 Pease, N.H., VOR; *Parsons INT, Maine; *3,500. *5,000—MRA. *2,100—MOCA.
 Parsons INT, Maine; Sebago INT, Maine; *5,000. *3,500—MOCA.
 Sebago INT, Maine; Augusta, Maine VOR; *3,500. *3,000—MOCA.

Section 95.6003 *VOR Federal airway 3* is amended to delete:

Ipswich INT, Mass.; Kennebunk, Maine, VOR; 2,500.
 Kennebunk, Maine, VOR; Freeport INT, Maine; *2,400. *1,800—MOCA.
 Freeport INT, Maine; Augusta, Maine, VOR; 2,400.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Creek INT, Fla., via W alter.; Marianna, Fla., VOR via W alter.; *2,000. *1,600—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended by adding:

From; to; and MEA.

Corpus Christi, Tex., VOR; Woodsboro INT, Tex.; *1,700. *1,500—MOCA.
 Woodsboro INT, Tex.; *Austwell INT, Tex.; *1,700. *3,000—MRA. *1,200—MOCA.
 Austwell INT, Tex.; Palacios, Tex., VOR; *1,700. *1,400—MOCA.
 Palacios, Tex., VOR; Rosenberg INT, Tex.; *2,000. *1,400—MOCA.
 Rosenberg INT, Tex.; Humble, Tex., VOR; 1,600.

Humble, Tex., VOR via E alter.; Dayton INT, Tex. via E alter.; *1,800. *1,600—MOCA.
 Dayton INT, Tex.; via E alter.; Daisetta, Tex., VOR via E alter.; *1,800. *1,400—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to delete:

Houston, Tex., VOR; Humble, Tex., VOR; 2,000.

Humble, Tex., VOR via W alter.; Sheppard INT, Tex., via W alter.; *1,700. *1,500—MOCA.

Sheppard INT, Tex., via W alter.; *New Waverly INT, Tex., via W alter.; *1,900. *4,000—MRA. *1,500—MOCA.
 *New Waverly INT, Tex.; via W alter.; Lufkin, Tex., VOR via W alter.; *4,000. *4,000—MRA. *1,700—MOCA.

Houston, Tex., VOR via E alter.; Crosby INT, Tex., via E alter.; 1,600.
 Crosby INT, Tex., via E alter.; Daisetta, Tex., VOR via E alter.; *1,600. *1,400—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to read in part:

Grantsburg, Wis., VOR; *Barnum INT, Minn.; *3,300. *2,500—MOCA. MAA—10,000.
 Barnum INT, Minn.; Duluth, Minn., VOR; 3,000. MAA—10,000.

Section 95.6015 *VOR Federal airway 15* is amended by adding:

Houston, Tex., VOR; Humble, Tex., VOR; 2,000.
 Humble, Tex., VOR; Whitehall INT, Tex.; *1,900. *1,700—MOCA.
 Whitehall INT, Tex.; Navasota, Tex., VOR; *1,900. *1,600—MOCA.

Section 95.6015 *VOR Federal airway 15* is amended to delete:

Houston, Tex., VOR; Silver INT, Tex.; 2,000.
 Silver INT, Tex.; Cypress INT, Tex.; *1,800. *1,600—MOCA.
 Cypress INT, Tex.; Navasota, Tex., VOR; *1,900. *1,600—MOCA.
 Houston, Tex., VOR via E alter.; Humble, Tex., VOR via E alter.; 2,000.
 Humble, Tex., VOR via E alter.; Whitehall INT, Tex., via E alter.; *1,900. *1,700—MOCA.
 Whitehall INT, Tex., via E alter.; Navasota, Tex., VOR via E alter.; *1,900. *1,600—MOCA.

Section 95.6015 *VOR Federal airway 15* is amended to read in part:

From; to; and MEA.

Sealy INT, Tex., via W alter.; Courtney INT, Tex., via W alter.; *3,500. *1,700—MOCA.
 Courtney INT, Tex., via W alter.; College Station, Tex., VOR via W alter.; *1,900. *1,800—MOCA.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

Knoxville, Tenn., VOR via S alter.; Potts INT, Tenn., via S alter.; *5,000. *4,100—MOCA.
 Potts INT, Tenn., via S alter.; *Pittman INT, Tenn., via S alter.; 6,000. *8,000—MCA
 Pittman INT, eastbound.

Section 95.6020 *VOR Federal airway 20* is amended to delete:

Corpus Christi, Tex., VOR via N alter.; Woodsboro INT, Tex., via N alter.; *1,600. *1,500—MOCA.

Woodsboro INT, Tex., via N alter.; *Austwell INT, Tex., via N alter.; *1,700. *3,000—MRA. *1,200—MOCA.
 Austwell INT, Tex., via N alter.; Palacios, Tex., VOR via N alter.; *1,700. *1,400—MOCA.

Palacios, Tex., VOR via S alter.; *Jones Creek INT, Tex., via S alter.; *1,700. *2,500—MRA. *1,500—MOCA.

*Jones Creek INT, Tex., via S alter.; Manvel INT, Tex., via S alter.; *1,800. *2,500—MRA. *1,300—MOCA.

Manvel INT, Tex., via S alter.; Houston, Tex., VOR via S alter.; *1,800. *1,400—MOCA.

Palacios, Tex., VOR via N alter.; Rosenberg INT, Tex., via N alter.; *2,000. *1,400—MOCA.

Rosenberg INT, Tex., via N alter.; Houston, Tex., VOR via N alter.; 2,500.

Houston, Tex., VOR via N alter.; Crosby INT, Tex., via N alter.; 1,600.

Crosby INT, Tex., via N alter.; Trinity INT, Tex., via N alter.; *1,600. *1,400—MOCA.

Trinity INT, Tex., via N alter.; China INT, Tex., via N alter.; *1,600. *1,400—MOCA.

China INT, Tex., via N alter.; Beaumont, Tex., VOR via N alter.; *1,600. *1,500—MOCA.

Houston, Tex., VOR via S alter.; La Porte INT, Tex., via S alter.; 1,500.

La Porte INT, Tex., via S alter.; Smith Point INT, Tex., via S alter.; *1,600. *1,100—MOCA.

Smith Point INT, Tex., via S alter.; Sabine Pass, Tex., VOR via S alter.; *1,500. *1,000—MOCA.

Sabine Pass, Tex., VOR via S alter.; Lako Charles, La., VOR via S alter.; *1,500. *1,300—MOCA.

Section 95.6023 *VOR Federal airway 23* is amended to read in part:

From; to; and MEA.

Fort Jones, Calif., VOR via E alter.; Klamath Junction INT, Oreg., via E alter.; *10,000. This airway segment not authorized 0600-1400Z. *9,500—MOCA.

Klamath Junction INT, Oreg., via E alter.; *Medford, Oreg., VOR via E alter.; northwest bound, 8,000. Southeast bound, 10,000. This airway segment not authorized 0600-1400Z. *8,000—MCA Medford VOR southeast bound.

Fort Jones, Calif., VOR via W alter.; *Hamburg INT, Calif., via W alter.; *10,000. This airway segment not authorized 0600-1400Z. *12,000—MRA. *9,100—MOCA. Course excursions may be experienced between 9NM and 19NM northwest of Fort Jones VOR on V-23 and V-23W below 15,000 msl.

Hamburg INT, Calif., via W alter.; *Applegate INT, Oreg., via W alter.; *10,000. This airway segment not authorized 0600-1400Z. *10,000—MRA. *9,100—MOCA.

Section 95.6039 *VOR Federal airway 39* is amended by adding:

Concord, N.H., VOR; *Parsons INT, Maine; *3,500. *5,000—MRA. *2,900—MOCA.
 Parsons INT, Maine; Sebago INT, Maine; *5,000. *3,500—MOCA.
 Sebago INT, Maine; Augusta, Maine, VOR; *3,500. *3,000—MOCA.
 Augusta, Maine, VOR; Corinth INT, Maine; *3,000. *1,700—MOCA.
 Corinth INT, Maine; Millinocket, Maine, VOR; *3,000. *2,400—MOCA.

Section 95.6039 *VOR Federal airway 39* is amended to delete:

Concord, N.H., VOR; Kennebunk, Maine, VOR; 3,000.

Kennebunk, Maine, VOR; Freeport INT, Maine; *2,400. *1,800—MOCA.

Freeport INT, Maine; Bangor, Maine, VOR; *3,000. *2,700—MOCA.

Bangor, Maine, VOR; Millinocket, Maine, VOR; *2,400. *1,700—MOCA.

Section 95.6067 *VOR Federal airway 67* is amended by adding:

From; to; and MEA

Waterloo, Iowa, VOR via E alter.; Rochester Minn., VOR via E alter.; 3,600.

Section 95.6069 *VOR Federal airway 69* is amended to read in part:

Joliet, Ill., VOR; Big Run INT, Ill.; *2,500. *2,100—MOCA.

Big Run INT, Ill.; Kedzie, Ill., LF/RBN; *2,500. *2,000—MOCA.

Section 95.6070 *VOR Federal airway 70* is amended to delete:

Palacios, Tex., VORTAC via N alter.; Rosenberg INT, Tex., via N alter.; *2,000. *1,400—MOCA.

Rosenberg INT, Tex., via N alter.; Humble, Tex., VOR via N alter.; 1,600.
Humble, Tex., VOR via N alter.; Sabine Pass, Tex., VOR via N alter.; 1,600.

Section 95.6070 *VOR Federal airway 70* is amended to read in part:

Palacios, Tex., VOR; Danbury INT, Tex.; *1,800. *1,500—MOCA.

Section 95.6076 *VOR Federal airway 76* is amended to delete:

Houston, Tex., VOR; Scholes, Tex., VOR; 2,200.

Section 95.6076 *VOR Federal airway 76* is amended to read in part:

Llano, Tex., VOR via N alter.; Markle INT, Tex., via N alter.; *3,000. *2,700—MOCA.
Sinclair INT, Tex., via S alter.; Houston, Tex., VOR via S alter.; 2,100.

Section 95.6093 *VOR Federal airway 93* is amended by adding:

Concord, N.H., VOR; Kennebunk, Maine, VOR; *3,000. *2,400—MOCA.
Kennebunk, Maine, VOR; Razorville INT, Maine; *4,000. *1,800—MOCA.
Razorville INT, Maine; Bangor, Maine, VOR; *3,000. *2,700—MOCA.

Section 95.6093 *VOR Federal airway 93* is amended to delete:

Concord, N.H., VOR; Hiram INT, Maine; 4,000.
Hiram INT, Maine; Augusta, Maine, VOR; 3,500.
Augusta, Maine, VOR; Bangor, Maine, VOR; *3,000. *2,700—MOCA.

Section 95.6120 *VOR Federal airway 120* is amended by adding:

From; To; and MEA

Mason City, Iowa, VOR via N alter.; Waterloo, Iowa, VOR via N alter.; *3,000. *2,500—MOCA.

Section 95.6148 *VOR Federal airway 148* is amended to read in part:

Kiowa, Colo., VOR; Thurman, Colo., VOR; 7,900.

Section 95.6173 *VOR Federal airway 173* is amended to read in part:

Manteno INT, Ill.; Big Run INT, Ill.; *3,500. *2,100—MOCA.

Section 95.6180 *VOR Federal airway 180* is deleted.

Section 95.6191 *VOR Federal airway 191* is amended to read in part:

Manteno INT, Ill.; Big Run INT, Ill.; *3,500. *2,100—MOCA.

Section 95.6195 *VOR Federal airway 195*.

*Cordella INT, Calif.; **Berryessa INT, Calif.; ***7,500. *5,000—MCA Cordella INT, Northbound. **7,500—MCA Berryessa INT, Southbound. ***5,000—MOCA.

Section 95.6198 *VOR Federal airway 198* is amended to delete:

Eagle Lake, Tex., VOR via N alter.; Humble, Tex., VOR via N alter.; *2,000. *1,600—MOCA.

Humble, Tex., VOR via N alter.; Sabine Pass, Tex., VOR via N alter.; 1,600.

Section 95.6198 *VOR Federal airway 198* is amended to read in part:

Sinclair INT, Tex.; Houston, Tex., VOR; 2,100.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

Industry, Tex., VOR; Sealy INT, Tex.; *2,000. *1,700—MOCA.
Sealy INT, Tex.; Franz INT, Tex.; *2,000. *1,500—MOCA.
Franz INT, Tex.; Humble, Tex., VOR; *2,000. *1,700—MOCA.

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

McMinnville INT, Tenn.; Hartsville INT, Tenn.; 6,000.

Section 95.6262 *VOR Federal airway 262* is amended to read in part:

From; to; and MEA

Joliet, Ill., VOR; Big Run INT, Ill.; *2,500. *2,100—MOCA.
Big Run INT, Ill.; Kedzie, Ill., LF/RBN; *2,500. *2,000—MOCA.

Section 95.6306 *VOR Federal airway 306* is amended by adding:

Junction, Tex., VOR; Capitol INT, Tex.; *4,000. *3,300—MOCA.
Capitol INT, Tex.; Austin, Tex., VOR; 3,000.
Navasota, Tex., VOR via S alter.; Whitehall INT, Tex., via S alter.; *1,900. *1,600—MOCA.
Whitehall INT, Tex., via S alter.; Humble, Tex., VOR via S alter.; *1,900. *1,700—MOCA.
Humble, Tex., VOR via S alter.; Dayton INT, Tex., via S alter.; *1,800. *1,600—MOCA.
Dayton INT, Tex., via S alter.; Daisetta, Tex., VOR via S alter.; *1,800. *1,400—MOCA.

Section 95.6306 *VOR Federal airway 306* is amended to read in part:

Elgin INT, Tex.; Courtney INT, Tex.; *2,500. *1,800—MOCA.
Courtney INT, Tex.; Navasota, Tex., VOR; *2,000. *1,800—MOCA.

Section 95.6408 *Hawaii VOR Federal airway 8* is amended to read in part:

Palmtree INT, Hawaii; Laau Pt. INT, Hawaii; 2,000.
Laau Pt. INT, Hawaii; Molokai, Hawaii, VOR; 3,500.

Section 95.6411 *Hawaii VOR Federal airway 11* is amended to read in part:

*Snapper INT, Hawaii; **Molokai, Hawaii, VOR; 7,000. *7,000—MCA Snapper INT, westbound. **5,000—MCA Molokai VOR, eastbound.
Molokai, Hawaii, VOR; Laau INT, Hawaii; 3,500.
Laau INT, Hawaii; Palmtree INT, Hawaii; 2,000.

Section 95.6448 *VOR Federal airway 448* is amended by adding:

From; to; and MEA.

*Yakima, Wash., VOR, via S alter.; Outlook INT, Wash., via S alter.; 5,000. *9,500—MCA Yakima VOR southwest-bound.
Outlook INT, Wash., via S alter.; Royal INT, Wash., via S alter.; 6,000.

Section 95.6448 *VOR Federal airway 448* is amended to delete:

*Yakima, Wash., VOR via S alter.; INT 108 M rad Yakima VOR and 182 M rad Ephrata VOR via S alter.; 6,000. *9,500—MCA Yakima VOR, southwest-bound.

Section 95.6477 *VOR Federal airway 477* is amended by adding:

Humble, Tex., VOR via W alter.; Whitehall INT, Tex., via W alter.; *1,900. *1,700—MOCA.
Whitehall INT, Tex., via W alter.; Navasota, Tex., VOR via W alter.; *1,900. *1,600—MOCA.

Section 95.6477 *VOR Federal airway 477* is amended to delete:

Houston, Tex., VOR; Humble, Tex., VOR; 2,000.
Houston, Tex., VOR via W alter.; Silver INT, Tex., via W alter.; 2,000.
Silver INT, Tex., via W alter.; Cypress INT, Tex., via W alter.; *1,800. *1,600—MOCA.
Cypress INT, Tex., via W alter.; Navasota, Tex., VOR via W alter.; *1,900. *1,600—MOCA.
Humble, Tex., VOR via E alter.; Sheppard INT, Tex., via E alter.; *1,700. *1,500—MOCA.
Sheppard INT, Tex., via E alter.; *New Waverly INT, Tex., via E alter.; **1,900. *4,000—MRA. **1,500—MOCA.
New Waverly INT, Tex., via E alter.; Leona, Tex., VOR via E alter.; *2,000. *1,800—MOCA.

Section 95.6500 *VOR Federal airway 500* is amended to read in part:

Gladstone INT, Oreg.; Squaw Mountain DME Fix, Oreg.; westbound, 7,200. eastbound, 10,000.

Section 95.7048 *Jet Route No. 48* is amended to read in part:

From; to; MEA; and MAA

Westminster, Md., VORTAC; Int. 051 M rad, Westminster VORTAC and 263 M rad Kennedy VORTAC; 18,000; 45,000.
Int. 051 M rad Westminster VORTAC and 263 M rad, Kennedy VORTAC; Kennedy, N.Y., VORTAC; 19,000; 45,000.
Kennedy, N.Y., VORTAC; Int. 053 M rad Kennedy VORTAC and 267 M rad, Boston VORTAC; 19,000; 45,000.
Int. 053 M rad Kennedy VORTAC and 267 M rad, Boston VORTAC; Boston, Mass., VORTAC; 18,000; 45,000.

2. By amending subpart D as follows:
Section 95.8003 *VOR Federal airway changeover points*.

From; to; changeover point distance from

V-13 is amended by adding:
Humble, Tex., VOR via E alter.; Daisetta, Tex., VOR via E alter.; 30; Humble.

V-13 is amended to delete:
Houston, Tex., VOR; Daisetta, Tex., VOR via E alter.; 26; Houston.

V-15 is amended to read in part:
Humble, Tex., VOR; Navasota, Tex., VOR; 30; Humble.

V-39 is amended by adding:
Augusta, Maine, VOR; Millinocket, Maine, VOR; 47; Augusta.

V-180 is amended to delete:

San Antonio, Tex., VOR; Eagle Lake, Tex., VOR; 68; San Antonio.

V-306 is amended by adding:

Junction, Tex., VOR; Austin, Tex., VOR; 61; Junction.

Austin, Tex., VOR; Navasota, Tex., VOR; 42; Austin.

Humble, Tex., VOR via S alter.; Daisetta, Tex., VOR via S alter.; 30; Humble.

Navasota, Tex., VOR via S alter.; Humble, Tex., VOR via S alter.; 30; Humble.

V-477 is amended by adding:

Humble, Tex., VOR via W alter.; Navasota, Tex., VOR via W alter.; 30; Humble.

(Secs. 307, 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510.)

Issued in Washington, D.C., on May 17, 1973.

FRED O. WILDER,
Acting Chief,
Aircraft Programs Division.

[FR Doc.73-11010 Filed 6-4-73;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 302—FOREIGN EXCESS PROPERTY REGULATIONS

Correction

In FR Doc. 73-8784 appearing at page 11068 in the issue for Friday, May 4, 1973, the following changes should be made:

1. The second line of § 302.2(g) which reads "(Form DIB-305, formerly Form FEPP-4)" should read "(Form DIB-303, formerly Form FEPP-2)".
2. In the penultimate line of § 302.7(c) the word "of" should read "to".
3. In the 18th line of § 302.14(b) the word "subsection" should read "paragraph".

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2389]

PART 13—PROHIBITED TRADE PRACTICES

Activitoys, Ltd., and Victor Zimmerman

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055, Furnishing means and instrumentalities of misrepresentation or deception; § 13.1057, Packaging deceptively; § 13.1057-40, Oversized containers. Subpart—Misrepresenting oneself and goods—Goods: § 13.1698, Packaging deceptively; § 13.1720, quantity; § 13.1743, Size or weight.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Activitoys, Ltd., et al., Jersey City, N.J., Docket No. C-2389, Apr. 26, 1973]

In the Matter of Activitoys, Ltd., a Corporation, and Victor Zimmerman, Individually and as an Officer of Said Corporation

Consent order requiring a Jersey City, N.J., manufacturer of toy, gift, and hobby products, among other things, to cease deceptively packaging them, and providing others with means of deceiving the purchasing public.

The order to cease and desist, including further order requiring report of compliance therewith is as follows:

It is ordered, That respondent Activitoys, Ltd., a corporation, and its officers, and Victor Zimmerman, individually and as an officer of said corporation, and respondents' agents, representatives, employees, successors, and assigns, directly or through any corporation, sub-

sidary, division, or other device, in connection with the offering for sale; sale or distribution of toy, gift, and hobby merchandise or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Packaging said products in oversized boxes or other containers so as to create the appearance or impression that the width or thickness or other dimensions or quantity of products contained in a box or container is appreciably greater than is the fact; but nothing in this order shall be construed as forbidding respondents to use oversized containers if respondents justify the use of such containers as necessary for the efficient packaging of the products contained therein and established that respondents have made all reasonable efforts to prevent any misleading appearance or impression from being created by such containers;

2. Providing wholesalers, retailers, or other distributors of said products with any means or instrumentality with which to deceive the purchasing public in the manner described in paragraph (1) above.

It is further ordered, That respondents or their successors or assigns notify the Commission at least 30 days prior to any proposed change in any of the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporate respondent which may affect compliance obligations arising out of this order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents distribute a copy of this order to all firms and individuals involved in the formulation or implementation of respondents' business policies, and all firms and individuals engaged in the advertising marketing, or sale of respondents' products.

It is further ordered, That the respondents herein shall, within 60 days after service upon them of this order file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued April 26, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-11142 Filed 6-4-73;8:45 am]

[Docket No. C-2393]

PART 13—PROHIBITED TRADE PRACTICES

Excel Finance Baronne, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.73, Formal regulatory and statutory requirements; § 13.73-92 Truth in Lending Act; § 13.155, Prices: § 13.155-95 Terms and conditions; § 13.155-95(a) Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623, Formal regulatory and statutory requirements; § 13.1623-95 Truth in Lending Act—Prices: § 13.1623, Terms and conditions; § 13.1623-20, Truth in Lending Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852, Formal regulatory and statutory requirements; § 13.1852-75, Truth in Lending Act; § 13.1905, Terms and conditions; § 13.1905-60, Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, 83 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Excel Finance Baronne, Inc., et al., New Orleans, La., docket No. C-2393, April 27, 1973.]

In the Matter of Excel Finance Baronne, Inc., a Corporation and Excel Baronne Discount, Inc., a Corporation, and Excel Finance Mid-City, Inc., a Corporation; and Ideal Mortgage Corp., a Corporation, and X-L Finance Co., Inc., a Corporation, and A. J. Gumina, Individually and as an Officer of said Corporations

Consent order requiring a New Orleans, La., finance company engaged in the business of lending money to the public and purchasing consumer credit sales contracts arranged by others, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Excel Finance Baronne, Inc., a corporation, Excel Baronne Discount, Inc., a corporation, Excel Finance Mid-City, Inc., a corporation; Ideal Mortgage Corp., a corporation; X-L Finance Company, Inc., a corporation, and respondent A. J. Gumina, individually and as an officer of respondent corporations, and their successors and assigns and respondents' officers, agents, representatives and employees, directly or through any corporation subsidiary, division or other device, in connection with the extension of consumer credit as "consumer credit" is defined in Regulation Z (12 CFR pt. 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing to describe the type of any security interest held or to be retained or acquired by the creditor in connection

with the extension of credit, as required by § 226.8(b) (5) of Regulation Z.

2. Failing to use the term "cash price," as defined in § 226.2(i), to describe the purchase price of the merchandise in a credit sale transaction, as required by § 226.8(c) (1) of Regulation Z.

3. Failing in any transaction which respondents retain or acquire a security interest in real property which is used or is expected to be used as the principal residence of the customer, including any transaction required by § 226.8(j) of Regulation Z to be treated as a new transaction, to

(a) Provide each customer, as defined in §§ 226.2(o) and 226.9(f) of Regulation Z who has the right provided by § 226.9 of Regulation Z to rescind the transaction with two copies of notice of right to rescind in the form required by § 226.9(b) of Regulation Z, which notice shall identify the transaction to which the right to rescind relates as required by § 226.9(b) of Regulation Z prior to the consummation of the transactions.

(b) Provide each customer, who has the right provided by § 226.9(a) of Regulation Z to rescind the transaction with a copy of all disclosures required by § 226.8 thereof, as required by § 226.6(e) of Regulation Z prior to the consummation of the transaction.

4. Failing in any consumer credit transaction or advertisement, to make all disclosures, determined in accordance with §§ 226.4 and 226.5 of Regulation Z, at the time and in the manner, form and amount required by §§ 226.6, 226.7, 226.8, 226.9, and 226.10 of Regulation Z.

It is further ordered, That respondents shall prominently display no less than two signs on each premise or place at which they do business, which will clearly and conspicuously state that a customer must receive a complete copy of the consumer credit cost disclosures, as required by the Truth in Lending Act, in any transaction which is financed, before the transaction is consummated.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any extension of consumer credit or in any aspect of preparation, creation or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in respondents' business such as dissolution, assignment or sale resulting in the emergence of a successor business, corporation, or otherwise, the creation of subsidiaries, or any other change which may affect compliance obligations arising out of this order.

It is further ordered, That respondents herein shall, within 60 days after service upon them of this order, file with the Commission a report in writing setting

forth in detail the nature and form of their compliance with this order.

Issued April 27, 1973.

By the Commission.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.73-11159 Filed 6-4-73;8:45 am]

[Docket No. C-2395]

PART 13—PROHIBITED TRADE PRACTICES

Leron, Inc., and Norman D. Forster

Subpart—Importing, manufacturing, selling, or transporting flammable wear: § 13.1060 *Importing, manufacturing, selling, or transporting flammable wear:*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Leron, Inc., et al., New York, N.Y., docket No. C-2395, May 1, 1973]

In the Matter of Leron, Inc., a Corporation, and Norman D. Forster, Individually and as an Officer of Said Corporation

Consent order requiring a New York City retailer and manufacturer of women's apparel, linens, and fabrics, among other things to cease manufacturing for sale, selling, importing, or distributing any product, fabric, or related material which fails to conform to an applicable standard of flammability or regulation issued under the provisions of the Flammable Fabrics Act, as amended.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the respondent Leron, Inc., a corporation, its successors and assigns, and its officers, and Norman D. Forster, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division, or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting, or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric or related material; or manufacturing for sale, selling or offering for sale, any product made of fabric or related material which has been shipped or received in commerce as "commerce", "product", "fabric" and "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation issued, amended or continued in effect, under the provisions of the aforesaid act.

It is further ordered, That respondents notify all of their customers who have purchased or to whom have been deliv-

ered the fabrics and/or products which gave rise to the complaint, of the flammable nature of said fabrics and/or products and effect the recall of said fabrics and/or products from such customers.

It is further ordered, That the respondents herein either process the fabrics and/or products which gave rise to the complaint so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said fabrics and/or products, subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents shall, within 60 days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

Issued May 1, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-11141 Filed 6-4-73;8:45 am]

[Docket No. C-2384]

PART 13—PROHIBITED TRADE PRACTICES

Mark Home Furniture Co., et al.

Subpart—Advertising falsely or misleadingly: § 13.73, Formal regulatory and statutory requirements: 13.73-92, Truth in Lending Act; § 13.155, Prices: 13.155-95, Terms and conditions: 13.155-95(a) Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623, Formal regulatory and statutory requirements: 13.1623-95, Truth in Lending Act—Prices: § 13.1823, Terms and conditions: 13.1823-20, Truth in Lending Act. Subpart—Neglecting, unfairly, or deceptively, to make material disclosure: § 13.1852, Formal regulatory and statutory requirements: 13.1852-75, Truth in Lending Act. § 13.1905, Terms and conditions: 13.1905-60, Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Mark Home Furniture Co., et al., Baltimore, Md., docket No. C-2384, April 20, 1973]

In the Matter of Mark Home Furniture Co., a Corporation, Trading and Doing Business as Central Home Furnishers, and Morton Miller and Ervin Miller, Individually and as Officers of Said Corporation

Consent order requiring a Baltimore, Md., furniture retailer, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by regulation Z of the said act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Mark Home Furniture Co., a corporation, trading and doing business as Central Home Furnishers, or under any other name or names, its successors and assigns, and its officers, and Morton Miller, and Ervin Miller, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division, or other device, in connection with any extension of consumer credit or advertisement to aid, promote, or assist directly or indirectly any extension of consumer credit, as "consumer credit" and "advertisement" are defined in regulation Z (12 CFR pt. 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing to disclose the annual percentage rate with an accuracy of one-fourth of 1 percent computed in accordance with § 226.5(b) of regulation Z, as required by § 226.8(b)(2) of regulation Z.

2. Failing to disclose the number of payments scheduled to repay the indebtedness, as required by § 226.8(b)(3) of regulation Z.

3. Failing to disclose the due dates of payments scheduled to repay the indebtedness, as required by § 226.8(b)(3) of regulation Z.

4. Failing to use the term "total of payments" to describe the sum of the payments scheduled to repay the indebtedness, as required by § 226.8(b)(3) of regulation Z.

5. Failing to accurately disclose the total of payments, as required by § 226.8(b)(3) of regulation Z.

6. Failing to describe the type of any security interest held or to be retained or acquired by the creditor in connection with the extension of credit, as required by § 226.8(b)(5) of regulation Z.

7. Failing to identify the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation, as required by § 226.8(b)(7) of regulation Z.

8. Failing to use the term "cash price," as defined in § 226.2(i) of regulation Z, to describe the purchase price of the goods, as required by § 226.8(c)(1) of regulation Z.

9. Failing to use the term "cash downpayment" to describe the downpayment in money made in connection with the

credit sale, as required by § 226.8(c)(2) of regulation Z.

10. Failing to accurately disclose the amount of the downpayment, as required by § 226.8(c)(2) of regulation Z.

11. Failing to use the term "unpaid balance of cash price" to describe the difference between the cash price and the total downpayment, as required by § 226.8(c)(3) of regulation Z.

12. Failing to use the term "amount financed" to describe the amount of credit extended, as required by § 226.8(c)(7) of regulation Z.

13. Failing to accurately disclose the amount financed, as required by § 226.8(c)(7) of regulation Z.

14. Failing to disclose the sum of the cash price, all charges which are included in the amount financed but which are not part of the finance charge, and the finance charge, and to describe that sum as the "deferred payment price," as required by § 226.8(c)(8)(ii) of regulation Z.

15. Failing in any consumer credit transaction or advertising to make all disclosures determined in accordance with §§ 226.4 and 226.5 of regulation Z, at the time and in the manner, form, and amount required by §§ 226.6, 226.7, 226.8, and 226.10 of regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any extension of consumer credit or in any aspect of the preparation, creation, or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That the respondents herein shall, within 60 days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in respondents' business such as dissolution, assignment or sale resulting in the emergence of a successor business, corporate, or otherwise, the creation of subsidiaries or any other change which may affect compliance obligations arising out of this order.

Issued April 20, 1973.

By the Commission.

[SEAL]

CHARLES A. TOBIN,
Secretary.

[FR Doc. 73-11160 Filed 6-4-73; 8:45 am]

[Docket No. C-2390]

PART 13—PROHIBITED TRADE PRACTICES

Wilson P. Abraham Construction Corp., and Wilson P. Abraham

Subpart—Advertising falsely or misleadingly: § 13.73, Formal regulatory and statutory requirements: 13.73-92, Truth in Lending Act; § 13.155, Prices: 13.155-95, Terms and conditions: 13.155-95(a), Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623, Formal regulatory and statutory requirements: 13.1623-95, Truth in Lending Act; —Prices: § 13.1823, Terms and conditions: 13.1823-20, Truth in Lending Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852, Formal regulatory and statutory requirements: 13.1852-75, Truth in Lending Act; § 13.1905, Terms and conditions: 13.1905-60, Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605.) [Cease and desist order, Wilson P. Abraham Construction Corp., et al., New Orleans, La., docket No. C-2390, April 26, 1973.]

In the Matter of Wilson P. Abraham Construction Corp., a Corporation, and Wilson P. Abraham, Individually and as an Officer of Said Corporation

Consent order requiring a New Orleans, La., real estate developer, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by regulation Z of the said act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Wilson P. Abraham Construction Corp., a corporation, and Wilson P. Abraham, individually and as an officer of said corporation, its successors and assigns, and respondents' officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with any extension or arrangement for the extension of consumer credit, or any advertisement to aid, promote or assist, directly or indirectly, any extension of consumer credit, as "consumer credit" and "advertisement" are defined in regulation Z (12 CFR pt. 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Stating in an advertisement, other than an advertisement to aid, promote, or assist directly or indirectly the sale of residential real estate under title II, section 235 of the National Housing Act (12 U.S.C. 1715 Z), the amount of the downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, without also stating all of the following

items, in terminology prescribed under § 226.8 of regulation Z, as required by § 226.10(d) (2) thereof:

(i) The cash price.
(ii) The amount of the downpayment required or that no downpayment is required, as applicable.

(iii) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended.

(iv) The amount of the finance charge expressed as an annual percentage rate.

(v) Except in the case of the sale of a dwelling or a loan secured by a first lien on a dwelling to purchase that dwelling, the deferred payment price or the sum of the payments, as applicable.

2. Advertising to aid, promote, or assist directly or indirectly the sale of residential real estate under title II, section 235, of the National Housing Act (12 U.S.C. 1715Z) without clearly identifying those credit terms which apply to said assistance program, as required by § 226.10(e) of regulation Z.

3. Stating in an advertisement to aid, promote, or assist directly or indirectly the sale of residential real estate under title II, section 235, of the National Housing Act (12 U.S.C. 1715Z):

(a) The amount of any payment scheduled to repay the indebtedness without stating the family size and income level applicable to that amount, as required by § 226.10(e) of regulation Z.

(b) The amount of the downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit without stating all of the following items in terminology prescribed under § 226.8 of regulation Z, as required by § 226.10(d) and (e) of regulation Z:

(i) The cash price or the amount of the loan, as applicable.

(ii) The amount of the downpayment required or that no downpayment is required, as applicable.

(iii) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended.

(c) Any rate of a finance charge, or the amount of the finance charge, expressed as an annual percentage rate based on the assistance, prohibited by § 226.10(e) of regulation Z.

4. Stating, in contravention to § 226.10(a) (2) of regulation Z, in any advertisement, that no downpayment or that a specified downpayment will be accepted in connection with any extension of credit, unless the creditor usually and customarily accepts or will accept downpayments in that amount.

5. Failing, in any consumer credit transaction or advertising, to make all disclosures, determined in accordance with §§ 226.4 and 226.5 of regulation Z, at the time and in the manner, form and amount required by §§ 226.6, 226.7, 226.8, 226.9, and 226.10 of regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and

desist to all present and future personnel of respondents engaged in the consummation of any extension of consumer credit or in any aspect of preparation, creation or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale, resultant in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That respondents shall, within 60 days after service upon them of this order, file with the Commission a report in writing setting forth, in detail, the manner and form in which they have complied with the order to cease and desist contained herein.

Issued April 26, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-11161 Filed 6-4-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

The Commissioner of Food and Drugs, having evaluated the data in two petitions (FAP 2B2748 and FAP 2B2768) filed by American Cyanamid Co., Wayne, N.J. 07470, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of acrylonitrile polymer with styrene, reaction product with ethylenediamine, acetate as a sizing material in paper and paperboard intended for use in contact with food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2526(a) (5) is amended by

alphabetically inserting in the List of substances a new item as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(a) * * *

(5) * * *

List of substances

Limitations

Acrylonitrile polymer with styrene, reaction product with ethylenediamine, acetate having a nitrogen content of 7.4-8.3 percent (Kjeldahl dry basis) and containing no more than 0.25 percent monomer as ethylenediamine.	For use only as a sizing material at a level not to exceed 0.25 percent by weight of dry paper and paperboard.
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Any person who will be adversely affected by the foregoing order may at any time on or before July 5, 1973, file with the Hearing Clerk, Department of Health, Education, and Welfare, room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented to support of the objections in the event a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on June 5, 1973.

(Sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348 (c) (1).)

Dated May 29, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.73-11132 Filed 6-4-73;8:45 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SANITIZING SOLUTIONS

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 2H2741) filed by Economics Laboratory, Inc., Osborn Building, St. Paul, Minn. 55102, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of an aqueous

solution containing iodine, butoxy monoether of mixed (ethylene-propylene) polyalkylene glycol, and polyoxyethylene-polyoxypropylene block polymers for sanitizing, food-processing equipment and utensils that contract food.

For the purpose of clarification and in response to inquiries received, the Commissioner further concludes that editorial changes should be made in § 121.2547 (21 CFR 121.2547) to indicate clearly the intent of the regulation to authorize in all the sanitizing solutions listed therein the use of substances generally recognized as safe, and substances which are permitted by prior sanction or approval.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2547 is amended in paragraph (b) by revising the opening text, by revising subparagraphs (3), (4), (5), (6), (7), (8), (10), (11), (12), and (13), and by adding a new subparagraph (14), and in paragraph (c) by revising subparagraph (4), as follows:

§ 121.2547 Sanitizing solutions.

(b) The solutions consist of one of the following, to which may be added components generally recognized as safe and components which are permitted by prior sanction or approval.

(3) An aqueous solution containing potassium iodide, sodium *p*-toluenesulfonchloramide, and sodium lauryl sulfate.

(4) An aqueous solution containing iodine, butoxy monoether of mixed (ethylene-propylene) polyalkylene glycol having a cloudpoint of 90° C.-100° C. in 0.5 percent aqueous solution and an average molecular weight of 3,300, ethylene glycol monobutyl ether, and diethylene glycol monoethyl ether.

(5) An aqueous solution containing elemental iodine, hydriodic acid, isopropyl alcohol, α -(*p*-nonylphenyl)- ω -hydroxypoly(oxyethylene) (complying with the identity prescribed in § 121.2541 (c) and having a maximum average molecular weight of 748) and/or polyoxyethylene-polyoxypropylene block polymers (having a minimum average molecular weight of 1,900).

(6) An aqueous solution containing elemental iodine, sodium iodide, sodium dioctylsulfosuccinate, and polyoxyethylene-polyoxypropylene block polymers (having a minimum average molecular weight of 1,900).

(7) An aqueous solution containing dodecylbenzenesulfonic acid, polyoxyethylene-polyoxypropylene block polymers (having a minimum average molecular weight of 2,800). In addition to use on food-processing equipment and utensils, this solution may be used on glass bottles and other glass containers intended for holding milk.

(8) An aqueous solution containing elemental iodine, butoxy monoether of mixed (ethylene-propylene) polyalkylene glycol having a minimum average molec-

ular weight of 2,400, and α -lauroyl- ω -hydroxypoly (oxyethylene) with an average 8-9 moles of ethylene oxide and an average molecular weight of 400. In addition to use on food-processing equipment and utensils, this solution may be used on beverage containers, including milk containers or equipment. Rinse water treated with this solution can be recirculated as a preliminary rinse. It is not to be used as final rinse.

(10) An aqueous solution containing trichloromelamine and either sodium lauryl sulfate or dodecylbenzenesulfonic acid. In addition to use on food-processing equipment and utensils and other food-contact articles, this solution may be used on beverage containers except milk containers or equipment.

(11) An aqueous solution containing equal amounts of *n*-alkyl (C_{12} - C_{18}) benzyl dimethyl ammonium chloride and *n*-alkyl (C_{12} - C_{18}) dimethyl ethylbenzyl ammonium chloride (having an average molecular weight of 384). In addition to use on food-processing equipment and utensils, this solution may be used on food-contact surfaces in public eating places.

(12) An aqueous solution containing the sodium salt of sulfonated oleic acid, polyoxyethylene-polyoxypropylene block polymers (having an average molecular weight of 2,000 and 27 to 31 moles of polyoxypropylene). In addition to use on food-processing equipment and utensils, this solution may be used on glass bottles and other glass containers intended for holding milk. All equipment, utensils, glass bottles, and other glass containers treated with this sanitizing solution shall have a drainage period of 15 minutes prior to use in contact with food.

(13) An aqueous solution containing elemental iodine and alkyl (C_{12} - C_{18}) monoether of mixed (ethylene-propylene) polyalkylene glycol, having a cloudpoint of 70° C.-77° C. in 1 percent aqueous solution and an average molecular weight of 807.

(14) An aqueous solution containing iodine, butoxy monoether of mixed (ethylene-propylene) polyalkylene glycol, having a cloud-point of 90° C.-100° C. in 0.5 percent aqueous solution and an average molecular weight of 3,300, and polyoxyethylene - polyoxypropylene block polymers (having a minimum average molecular weight of 2,000).

(c) * * *

(4) Solutions identified in paragraphs (b) (4), (5), (6), (8), (13), and (14) of this section will contain iodine to provide not more than 25 parts per million of titratable iodine. The adjuvants used with the iodine will not be in excess of the minimum amounts required to accomplish the intended technical effect.

Any person who will be adversely affected by the foregoing order may at any time on or before July 5, 1973, file with the Hearing Clerk, Department of Health, Education, and Welfare, room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Ob-

jections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on June 5, 1973.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1).)

Dated: May 29, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.73-11134 Filed 6-4-73; 8:45 am]

SUBCHAPTER F—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS OTHER THAN THE FOOD, DRUG, AND COSMETIC ACT

PART 273—BIOLOGIC PRODUCTS

PART 278—REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

CFR Correction

In title 21, parts 170 to 299, of the Code of Federal Regulations, revised as of April 1, 1973, parts 273 and 278 of subchapter F appear in error under subchapter E in the table of contents and in the text.

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Delaware Plan Revisions; Approval

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act, as amended, and 40 CFR part 51, the Administrator approved, with specific exceptions, the Delaware plan for implementation of the national ambient air quality standards. On July 27, 1972 (37 FR 15080), and September 22, 1972 (37 FR 19806), the Administrator approved additional portions of the Delaware plan based on supplemental information submitted by the State correcting the deficiencies identified on May 31.

On May 23, 1973 (38 FR 13561), the Administrator approved a change in the date for attainment of the national secondary sulfur dioxide standard in the Delaware portion of the Metropolitan Philadelphia Interstate Air Quality Control Region from January 1973 to January 1974.

Delaware submitted, after notice and public hearing, a compliance schedule for the Delmarva Power and Light Co. which modifies the approved compliance date of the applicable control regulation. The additional time for compliance is reasonable given the uniqueness of the relationship between Delmarva Power and Light Co. and the Getty Oil Co. The energy source for Delmarva's power-generating facility is high sulfur content fluid petroleum coke supplied by Getty's petroleum refinery.

Permitting use of the coke until January 1, 1974, will provide additional time for Getty to study plans for dealing with its massive solid waste disposal problem (1,500 tons/day) which will be created by the switch to 1-percent sulfur fuel, and to study desulfurization alternatives for the coke. Accordingly, the Administrator has determined that this compliance schedule is consistent with the requirements of 40 CFR 51.15(b) (2) and it is hereby approved.

This approval action is effective on June 4, 1973. The agency finds that good cause exists for not publishing the actions as a notice of proposed rulemaking

and for making them effective immediately upon publication for the following reasons:

1. The implementation plan revision was adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice and public hearings and comments, and further participation is unnecessary and impracticable.

2. Immediate effectiveness of the action enables the source involved to proceed with certainty in conducting its affairs, and persons wishing to seek judicial review of the action may do so without delay.

(42 U.S.C. 1857c-5.)

Dated May 29, 1973.

ROBERT W. FRI,
Acting Administrator.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

1. The following source listing is added to § 52.429(a):

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Delmarva Power and Light Co.	Delaware City.....	VIII.....	Dec. 11, 1972	Immediately..	Jan. 1, 1974

[FR Doc.73-11096 Filed 6-4-73;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 1-3; Notice 6]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motorcycle Brake Systems

This notice amends Motor Vehicle Safety Standard No. 122, Motorcycle Brake Systems, 49 CFR 571.122, to modify the master cylinder labeling and the wetting procedure for the water recovery test, effective January 1, 1974.

The amendment is based upon a notice published December 15, 1972 (37 FR 26739). The NHTSA proposed a change in the wording of the master cylinder reservoir label which would be identical to that specified in Motor Vehicle Safety Standard No. 105a, Hydraulic Brake Systems (37 FR 17970). In addition, a change in the wetting procedure for the water recovery test was proposed to require sequential immersion of the front and rear brake assemblies in lieu of simultaneous immersion.

The comments received generally supported the proposal. Some minor changes were requested, and standard No. 122 is being amended accordingly. The reservoir labeling requirements have been modified in format in a manner consistent with recent amendments to standard No. 105a (38 FR 13017).

The height of the lettering has been retained at three thirty-seconds of

an inch. In order to avoid any misinterpretation, it is the NHTSA's intent to have the label completed with DOT and the grade of fluid designed for use in the system and not a manufacturer's brand name and number. If, however, silicone-based or petroleum based fluids are appropriate for the system design specific fluids may be designated until a DOT grade and performance requirements have been specified. A contrast in color will be required only of printed labels. For this purpose, it has been decided that raised or lowered letters will provide a sufficient degree of legibility.

Finally, based on a comment made by the Japan Automobile Manufacturers Association, Inc. (JAMA), the wetting procedure for the water recovery test has been changed to extend the maximum testing time from 5 minutes to 7 minutes. JAMA stated that immersion of the rear brake first would still create engine stall problems if the water were allowed to enter the engine through the muffler(s) during the front brake assembly immersion period. The NHTSA feels strongly that the front brake should be immersed last due to potential instabilities created by a "grabbing" front brake. The extra time which has been allotted should be sufficient for manufacturers to provide protection for the exhaust system, thereby alleviating the problem of engine stall, and providing a measure of relief for those who considered the 5-minute period as excessively short.

In consideration of the foregoing, 49 CFR § 571.122, Motor Vehicle Safety Standard No. 122, is amended as follows:

1. Paragraph S5.1.2.2 is revised to read:

S5.1.2.2 *Reservoir labeling*.—Each motorcycle shall have a brake fluid warning statement that reads as follows, in letters at least three thirty-seconds of an inch high:

Warning: Clean filler cap before removing. Use only ----- fluid from a sealed container. (Inserting the recommended type of brake fluid as specified in 49 CFR 571.116, e.g., DOT 3.)

The lettering shall be:—

(a) Permanently affixed, engraved, or embossed;

(b) Located so as to be visible by direct view, either on or within 4 inches of the brake-fluid reservoir filler plug or cap; and

(c) Of a color that contrasts with its background, if it is not engraved or embossed.

2. Paragraph S7.10.2 is amended to read:

S7.10.2 *Wet brake recovery stops*.—Completely immerse the rear brake assembly of the motorcycle in water for 2 minutes with the brake fully released. Next completely immerse the front brake assembly of the motorcycle in water for 2 minutes with the brake fully released. Perform the entire wetting procedure in not more than 7 minutes. Immediately after removal of the front brake from water, accelerate at a maximum rate to 30 mi/h without a brake application. Immediately upon reaching that speed make five stops, each from 30 mi/h at 10 to 11 ft/s² for each stop. After each stop (except the last) accelerate the motorcycle immediately at a maximum rate to 30 mi/h and begin the next stop.

Effective date.—January 1, 1974.

(Secs. 103, 112, 119 Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1401, 1407; delegation of authority at 38 FR 12147.)

Issued on May 30, 1973.

JAMES E. WILSON,
Associate Administrator,
Traffic Safety Programs.

[FR Doc.73-11180 Filed 6-4-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1039, Amdt. 7]

PART 1033—CAR SERVICE

New York Dock Railway

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 31st day of May 1973.

Upon further consideration of Service Order No. 1089 (37 FR 2677, 9118, 15930, 23336; 38 FR 877, 8657, and 10941), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1089.—New York Dock Railway authorized to operate over

trackage abandoned by Bush Terminal Railroad Co., be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—This order shall expire at 11:59 p.m., July 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11198 Filed 6-4-73;8:45 am]

[S.O. 1091, Amdt. 3]

PART 1033—CAR SERVICE

Norfolk & Western Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 25th day of May 1973.

Upon further consideration of Service Order No. 1091 (37 FR 4917, 12497 and 38 FR 877), and good cause appearing therefor:

It is ordered, That § 1033-1091 Service Order No. 1091 (Norfolk & Western Railway Co. authorized to operate over tracks of Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—This order shall expire at 11:59 p.m., November 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the

railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11195 Filed 6-4-73;8:45 am]

[S.O. 1100, Amdt. 2]

PART 1033—CAR SERVICE

Union Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 25th day of May 1973.

Upon further consideration of Service Order No. 1100 (37 FR 12324, 38 FR 878), and good cause appearing therefor:

It is ordered, That § 1033.1100 Service Order No. 1100, Union Pacific Railroad Co. authorized to operate over tracks of Agricultural Products Corp. between Epco, Caribou County, Idaho, and Dry Valley, Caribou County, Idaho, be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.*—This order shall expire at 11:59 p.m., August 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11192 Filed 6-4-73;8:45 am]

[S.O. 1104, Amdt. 4]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service

Board, held in Washington, D.C., on the 31st day of May 1973.

Upon further consideration of service order No. 1104, (37 FR 15307), 22986, and 38 FR 3512, 8445) and good cause appearing therefor:

It is ordered, That § 1033.1104 Service Order No. 1104 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees, authorized to operate over tracks of the Erie Lackawanna Railway Co.), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—The provisions of this order shall expire at 11:59 p.m., June 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11193 Filed 6-4-73;8:45 am]

[S.O. 1106, Amdt. 3]

PART 1033—CAR SERVICE

The Baltimore & Ohio Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 31st day of May 1973.

Upon further consideration of service order No. 1106 (37 FR 15307, 23273, and 38 FR 3332), and good cause appearing therefor:

It is ordered, That § 1033.1106 service order No. 1106, the Baltimore & Ohio Railroad Co. authorized to operate over tracks of Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees, be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—The provisions of this order shall expire at 11:59 p.m., November 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11196 Filed 6-4-73;8:45 am]

[Rev. S.O. 1110, Amdt. 8]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 31st day of May 1973.

Upon further consideration of revised service order No. 1110 (37 FR 19616, 22871, 23236; 38 FR 878, 3333, 5636, 8446, and 10942), and good cause appearing therefor:

It is ordered, That § 1033.1110 service order No. 1110 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees, required to restore service at the Buttonwood (Wilkes-Barre), Pa., gateway and to reroute traffic originally routed via that gateway), be, and it is hereby,

amended by substituting the following paragraphs (a) and (e) for paragraphs (a) and (e) thereof:

(a) The Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees (Penn Central) be, and it is hereby, ordered to restore service via its Buttonwood (Wilkes-Barre), Pa., gateway on or before June 30, 1973.

(e) *It is further ordered*, That this order shall become effective at 11:59 p.m., September 15, 1972, and, as to paragraph 1033.1110(b), shall expire at 11:59 p.m., June 30, 1973, unless sooner vacated by order of this Commission upon restoration of service through the Buttonwood (Wilkes-Barre) gateway.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11197 Filed 6-4-73;8:45 am]

[S.O. 1111, Amdt. 8]

PART 1033—CAR SERVICE

Delaware & Hudson Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service

Board, held in Washington, D.C., on the 31st day of May 1973.

Upon further consideration of service order No. 1111 (37 FR 19617, 22872, 25237; 38 FR 878, 3332, 5637, 8446, and 10942), and good cause appearing therefor:

It is ordered, That § 1033.1111 service order No. 1111 (Delaware & Hudson Railway Co. authorized to operate over tracks of Erie Lackawanna Railway Co., Thomas F. Patton and Ralph S. Tyler, Jr., trustees), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) **Expiration date.**—The provisions of this order shall expire at 11:59 p.m., June 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., May 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11194 Filed 6-4-73;8:45 am]

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 9]

VOLUNTARY LABELING PROGRAM FOR MAJOR HOUSEHOLD APPLIANCES TO EFFECT ENERGY CONSERVATION

Proposed Procedures

Notice is hereby given that the Department of Commerce proposes to issue procedures for a voluntary labeling program for major household appliances in order to promote energy conservation.

President Nixon in his energy message to Congress on April 18, 1973, advised that he had directed the Department of Commerce, working with the Council on Environmental Quality and the Environmental Protection Agency, to develop a voluntary system of energy labels for major home appliances.

The President stated, "These labels should provide data on energy use as well as a rating comparing the product's efficiency to other similar products."

Interested persons are invited to participate in the proposed rulemaking by submitting written comments or suggestions in four copies to the Assistant Secretary for Science and Technology, room 3862, U.S. Department of Commerce, Washington, D.C. 20230, on or before July 5, 1973. The Department of Commerce is particularly interested in receiving comments as to whether those household appliances included within the scope of the program pursuant to § 9.3 are appropriate for consideration at this time and whether any additions or deletions should be made.

A public docket will be available for examination by interested persons at the Central Reference and Records Inspection Facility of the Department of Commerce, room 7043, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230.

Issued June 1, 1973.

BETSY ANCKER-JOHNSON,
Assistant Secretary
for Science and Technology.

The following proposals are under consideration:

PART 9—PROCEDURES FOR A VOLUNTARY LABELING PROGRAM FOR MAJOR HOUSEHOLD APPLIANCES TO EFFECT ENERGY CONSERVATION

- Sec.
- 9.0 Purpose.
 - 9.1 Goal of program.
 - 9.2 Definitions.
 - 9.3 Household appliances included in program.

- Sec.
- 9.4 Development of voluntary energy conservation specifications.
 - 9.5 Participation of manufacturers.
 - 9.6 Termination of participation.
 - 9.7 Certification mark.
 - 9.8 Amendment or revision of voluntary energy conservation specification.
 - 9.9 Consumer education.
 - 9.10 Annual report.

AUTHORITY.—Sec. 2, 31 Stat. 1449, as amended, sec. 1, 64 Stat. 371; 15 U.S.C. 272, Reorganization Plan No. 3 of 1946, part VI; Message From the President of the United States Concerning Energy Resources, Apr. 18, 1973 (119 Cong. Rec. H2886).

§ 9.0 Purpose.

The purpose of this part is to establish procedures relating to the Department's voluntary labeling program for household appliances to promote and effect energy conservation.

§ 9.1 Goal of program.

(a) This program was initiated in response to the direction of President Nixon in his 1973 energy message that the Department of Commerce in cooperation with the Council on Environmental Quality and the Environmental Protection Agency develop a voluntary labeling program which would apply to major energy-consuming home appliances.

(a) The goal of this program is to encourage manufacturers to cooperate with the Federal Government in providing consumers, at the point of sale, with information on the energy consumption and energy efficiency of major household appliances. Such information will be provided on labels displayed with the appliance and written in language understandable to consumers. The labels will include a system intended to make it possible for consumers to compare by cost or otherwise the energy consumption and energy efficiency characteristics when purchasing household appliances and to select those appliances which could effect savings in energy consumption.

§ 9.2 Definitions.

(a) The term "Secretary" means the Secretary of Commerce.

(b) The term "household appliance" means an appliance listed in § 9.3 and does not include a household appliance manufactured for export.

(c) The term "manufacturer" means any person engaged in the manufacturing or assembling of new household appliances or the importing of such appliances for resale.

(d) The term "energy consumption" means the amount of energy used by a household appliance under conditions of

use approximating actual operating conditions as set out in test procedures contained in a final voluntary energy conservation specification published under § 9.4(d).

(e) The term "energy efficiency" means a measure of the energy use of a household appliance relative to its output of services, as determined through test procedures promulgated or approved by the Secretary.

(f) The term "consumer" means the first person who purchases a new household appliance for purposes other than resale.

(g) The term "class of household appliance" means a group of appliances whose technical function is similar and whose functional output covers a range which may be of interest to a consumer for a single application.

(h) The term "specification" means a voluntary energy conservation specification developed under § 9.4.

(3) An energy specification label and directions for displaying the label with each household appliance in the class. The energy specification label shall include information which will assist the consumer in comparing by cost or otherwise the energy characteristics of a particular appliance with all others in its class. The label shall be prominently affixed to or displayed with each appliance in a manner assuring visibility and readability. The label shall also include the certification mark specified in § 9.7.

(c) The Secretary upon completion of a proposed specification shall publish in the FEDERAL REGISTER a notice giving the complete text of the proposed specification, and any other pertinent information, and inviting any interested person to submit comments on the proposed specification within 30 days after its publication in the FEDERAL REGISTER.

(d) The Secretary, after consideration of all written comments and other materials received in accordance with paragraph (c) of this section, shall publish in the FEDERAL REGISTER within 30 days after the final date for receipt of comments a notice either:

(1) Giving the complete text of a final specification, including conditions of use, and stating that any manufacturer of a household appliance in the class concerned desiring voluntarily to use the specification label and certification mark with such appliance must advise the Department of Commerce; or

(2) Stating that the proposed specification will be further developed before final publication; or

(3) Withdrawing the proposed specification from further consideration.

§ 9.3 Household appliances included in program.

The household appliances included in this program are room and central air-conditioners, household refrigerators, home freezers, clothes washers, dishwashers, clothes dryers, kitchen ranges, and water heaters. Additional appliances may be included in the program by the Secretary pursuant to rule-making procedures as set out in 5 U.S.C. 553. Household appliances manufactured for export are not included in this program.

§ 9.4 Development of voluntary energy conservation specifications.

(a) The Secretary in cooperation with appropriate Federal agencies and in cooperation with affected manufacturers, distributors, retailers, and consumers shall develop a proposed voluntary energy conservation specification for a specific class of the household appliances covered under § 9.3.

(b) Each specification shall as a minimum include:

(1) Statements describing the class of household appliance covered and listing the distribution of energy efficiencies for that class of appliance.

(2) Listings or descriptions of test methods to be used in measuring the pertinent energy characteristics of the class of household appliance. The Department of Commerce will develop in cooperation with industry appropriate test methods and will, where possible, use adequate test methods described in nationally recognized voluntary standards.

§ 9.5 Participation of manufacturers.

(a) Manufacturers desiring to participate in this program will so notify the Department of Commerce. The notification will identify the particular specification to be used. The notification will also state that the manufacturer will abide by all conditions contained in the specification and will desist from using the specification if requested by the Department of Commerce under the provisions of § 9.6.

(b) The conditions for participation will be set out in the specification and will include, but not be limited to, the following:

(1) Prior to the use of a label contained in a specification, the manufacturer will make or have made the measurements to obtain the information required for inclusion on the specification label; and, if requested, will forward such measurement data to the Department of Commerce. Such measurement data will be kept on file for 2 years after the household appliance is no longer manufactured unless otherwise provided in the specification.

(2) The manufacturer will describe the test results on the label as prescribed in the specification.

(3) The manufacturer will display or arrange to display the specification label and certification mark with each house-

hold appliance manufactured by him in accordance with any specification.

(4) The manufacturer agrees at his expense to comply with any reasonable request of the Department of Commerce to have a household appliance manufactured by him tested to determine that testing has been done according to the relevant specification.

(5) The manufacturer agrees to include all models of a particular brand in a class of appliance as defined in the specification.

§ 9.6 Termination of participation.

(a) The Department of Commerce upon finding that the manufacturer is not complying with the conditions of participation set out in a voluntary energy conservation specification may terminate the use of the certification mark set out in § 9.7: *Provided*, That the manufacturer shall first be given an opportunity to show cause why the participation should not be terminated. Prior to any termination, a manufacturer may request a hearing under the provisions of 5 U.S.C. 558.

(b) A manufacturer may terminate his participation and responsibilities under this program at any time by giving written notice to the Secretary that he has discontinued use of the specification label for all appliances within the class.

§ 9.7 Certification mark.

The Department of Commerce shall develop a certification mark which shall be registered in the U.S. Patent Office under 15 U.S.C. 1054 for use on each label contained in a specification.

§ 9.8 Amendment or revision of voluntary energy conservation specification.

The Secretary may by order amend or revise any specification published under § 9.4. The procedure applicable to the establishment of a specification under § 9.4 shall be filed in amending or revising such specification. Such amendment or revision shall not apply to any appliance manufactured prior to the effective date of the amendment or revision.

§ 9.9 Consumer education.

The Department of Commerce, in close cooperation and coordination with interested government agencies and the appropriate industry trade association and industry members, shall carry out a program to educate consumers relative to the significance of the labeling program.

§ 9.10 Annual report.

The Department of Commerce will publish an annual report of activities under the program, including an evaluation of the program and a list of participating manufacturers and classes of household appliances.

[FR Doc.73-11298 Filed 6-4-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR, Parts 25, 121, 135]

[Docket No. 12881; Notice No. 73-16]

AIR TRANSPORTATION OF HANDICAPPED PERSONS

Advance Notice of Proposed Rulemaking

The Federal Aviation Administration is considering amending parts 25, 121, and 135 of the "Federal Aviation Regulations" to permit, to the maximum extent possible, air transportation of physically handicapped persons while maintaining an acceptable level of safety in air carrier and air taxi operations.

This advance notice of proposed rulemaking is being issued pursuant to the FAA's policy for the early institution of rulemaking proceedings. An "advance" notice is issued to invite public participation in the identification and selection of a course or alternate courses of action with respect to a particular rulemaking problem.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice numbers and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before August 6, 1973, will be considered by the Administrator before taking action with respect to the subject matter. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

On October 14, 1971, the Civil Aeronautics Board issued an advance notice of proposed rulemaking to notify the public of the Board's consideration of rulemaking action to amend part 399 "Policy Statements" and part 221 "Economic Regulations" of the regulations of the Board so as to provide for terms and conditions governing air transportation of physically disabled persons.

The notice, PSDR-33/EDR-215 (docket No. 23904), invited participation of the industry, interested Government agencies, physically disabled passengers and their individual or organizational representatives, as well as the general public, in the Board's effort to determine the scope of the problem. The notice stated that, "If, in the Board's view, comments received indicate that further action is warranted, the Board may then pursue one or more of several alternative courses of action, including (1) Issuing a supplemental notice of rulemaking with proposed rules (2) reopening the proceeding in which it approved the ATA agreement dealing with interline acceptance criteria for disabled persons under section 412 of the Act, (3) instituting evidentiary proceedings under section

1002(b) of the Act, and (4) referring the matter to the Department of Transportation under section 1111 of the Act."

Subsequent to the issuance of notice PSDR-33/EDR-215, the Board has referred the matter to the Department of Transportation for a determination of the relevant safety parameters associated with the air transportation of disabled persons and deferred its proceedings until the appropriate safety standards have been established. The alternative course of action selected by the Board is consistent with alternative (4) identified in its notice.

The comments received by the Board in response to notice PSDR-33/EDR-215 have been reviewed by the FAA. In addition to economic consideration the comments contain information pertinent to the safety considerations involving the air transportation of handicapped persons. The FAA believes this information should be considered in any FAA rule-making action regarding this important subject and has placed these comments in the docket to be considered along with any comments which may result from the issuance of this notice.

Section 1111 of the Federal Aviation Act, referenced in the Board's notice, provides: "Subject to reasonable rules and regulations prescribed by the Secretary of Transportation, any air carrier is authorized to refuse transportation to a passenger or to refuse to transport property when, in the opinion of the air carrier, such transportation would or might be inimical to safety of flight."

As indicated in the Board's explanatory statement issued in conjunction with its notice of October 14, 1971, various air carriers are parties to an agreement, approved by the Board in 1962, which states, among other things, that acceptance of physically handicapped passengers for air transportation by the parties to the agreement will be determined in accordance with certain lay criteria and, in particular circumstances, medical criteria as set forth therein. The lay criteria provide that a member carrier will not accept as passengers persons who have malodorous conditions, gross disfigurement, or contagious diseases, or persons who cannot take care of their physical needs without an attendant. The medical criteria are stated to be those criteria contained in a report entitled "Medical Criteria for Passenger Flying" published in certain periodicals and incorporated therein by reference. The agreement also classifies the physically handicapped and indicates by class which criteria are to be used in gaging acceptability.

The Board also indicated it has received an increasing volume of letters from disabled persons, disabled veterans' groups, and other organizations, which express dissatisfaction with the carriers' handling of paraplegics, quadriplegics, and other classifications of disabled persons, including in particular, several informal complaints rectifying incidents where the alleged refusals by air carriers to accept disabled persons for carriage would appear to have been

unjustified under a reasonable interpretation and application of the existing tariff rule.

A recent FAA review of the air carriers' written procedures concerning the ground and flight handling of the physically handicapped has shown that variations exist among the carriers with respect to: (1) The specificity of the procedures provided airline employees; (2) the types of handicapped persons accepted as passengers; and (3) the number of certain types of handicapped persons permitted on each flight. This review has also shown that while the larger part 121 carriers have the most comprehensive and most uniform procedures for the transportation of the handicapped; only limited written procedures were utilized by the small carriers and the part 135 airtaxi/commuter operators.

Although variations do exist with respect to the types of handicapped persons accepted as passengers in air transportation, some uniformity does exist with respect to certain types of handicapped persons not normally accepted by most airlines. Those not accepted include:

- (1) Handicapped or ill persons who are unable to care for their personal needs without assistance, unless accompanied by an able-bodied person.
- (2) Persons ill with a communicable disease.
- (3) Persons handicapped to the extent they offend other passengers.
- (4) Those who require undue attention from the flight attendant.
- (5) Those unable to sit in a seat and fasten their seat belt.
- (6) Mentally retarded children unless accompanied by an adult.
- (7) Infants under seven days of age.
- (8) Women in their 9th month of pregnancy unless they present an obstetrician's certificate dated within 72 hours of the time of flight departure.
- (9) Unaccompanied children under 5 years of age.
- (10) Unaccompanied litter patients.
- (11) Passengers intoxicated or under the influence of drugs.
- (12) Persons who are insane or mentally incapacitated.
- (13) Unaccompanied prisoners.
- (14) Persons requiring interavenous or intramuscular feeding or injections while en route, unless accompanied by a physician or attendant qualified to administer such feedings or injections.
- (15) Certain lung diseases which require continuous supplemental oxygen.

Exclusive of special physiological or medical considerations, the FAA believes the most significant safety considerations associated with the carriage of handicapped persons are those related to aircraft emergency evacuation. The accommodation of the more severely handicapped will almost certainly affect the outcome of an emergency evacuation.

The "Federal Aviation Regulations" under which the air carriers and the aircraft they operate are certificated do not include criteria which provide standards

relating to the acceptance of handicapped passengers.

The present standards for emergency evacuation of passenger-carrying airplanes are established in FAR § 121.291 for the air carriers and commercial operators of large airplanes and FAR § 25.803 for the airworthiness of transport category airplanes. These standards require that each part 121 certificate holder and each applicant for a part 25 airplane-type certificate show by actual demonstration that an emergency evacuation of the full seating capacity, including crewmembers, can be accomplished within 90 seconds for each type airplane involved which has a seating capacity of more than 44 passengers.

With regard to the persons used in an emergency evacuation demonstration, these requirements specify the use of a representative passenger load of persons in normal health and a mix in accordance with the following:

- (1) At least 30 percent must be female.
- (2) Approximately 5 percent must be over 60 years of age, with a proportionate number of females.
- (3) At least 5 percent, but no more than 10 percent, must be children under 12 years of age, prorated through that age group.

Emergency evacuation demonstrations permit an evaluation of the aircraft evacuation characteristics, an evaluation of the operator's emergency procedures and the quality of its crewmember training. In addition, the demonstrations produce useful information regarding actual passenger flow rates through the various type (size) exits to comply with the 90-second evacuation requirement. While these demonstrations provide a measure for producing satisfactory evacuation systems, the representative passenger load, however, is not always representative of that encountered in actual operation, especially if physically handicapped passengers are to be considered.

There has been a lack of uniformity among the different carriers in the type of handicapped persons accommodated. The FAA believes there is a need for an operational standard by which the acceptance of a maximum number and type of handicapped passengers, commensurate with an acceptable level of safety, may be achieved.

In making its decisions to invite the public and industry to assist in an identification and selection of a course or alternate courses of action, the FAA believes certain information regarding the reliance upon evacuation systems in actual emergencies may be helpful. The most significant type of aircraft accident in which a handicapped passenger may expect to encounter a disproportionate share of risk and possibly impede evacuation is the survivable accident in which a fire or an aircraft ditching is involved. In these cases the need to evacuate the aircraft rapidly is paramount.

An indication of the probability that a passenger may be involved in such an accident can be determined from an examination of past performance. The record for the 10-year period of 1962 through

1971 indicates that U.S. domestic and flag air carriers have been involved in 23 survivable aircraft accidents in which fire after impact was reported. None of these carriers have been involved in a ditching accident during this same period.

One additional area of concern regarding the carriage of handicapped persons is the need by persons afflicted with certain ailments to carry their own oxygen supply in the passenger cabins of their aircraft. This is presently inconsistent with the provisions of FAR part 103, Transportation of Dangerous Articles and Magnetized Material. The FAA is undertaking separate rulemaking action to resolve the difficulties associated with the carriage of individualized personal oxygen systems.

Based on the foregoing, the FAA solicits the views of all interested persons concerning the establishment of an acceptable level of safety commensurate with the carriage of the maximum number and types of handicapped persons. The FAA is particularly interested in receiving comments regarding the following questions:

(1) What types of physical/functional disabilities or limitations should be allowed consistent with present evacuation criteria?

(2) What types of handicapped persons or physical/functional disabilities should be allowed if a special attendant or assistance is provided to accomplish an emergency evacuation from an aircraft?

(3) Should a regulation be adopted which would permit (or limit) the carriage of a number and type of handicapped persons without the accommodation of that number and type in the criteria established for emergency evacuation demonstrations?

(4) How many unassisted handicapped persons may be accepted as passengers on an aircraft without requiring the use of a special attendant or able-bodied helper? Should this limit be a fixed number or should it be a number which is a percentage of the full passenger seating capacity?

(5) For large groups of handicapped passengers what means of emergency evacuation might be employed to provide an acceptable level of safety?

(6) Should the length of the planned flight be a consideration in determining the number and/or type of handicapped persons to be accepted as passengers?

(7) Would an identification card which certifies the ability of a handicapped person to perform certain physical tasks be useful in eliminating uncertainties regarding his acceptance as an unaccompanied passenger? If so, who should issue the card?

(8) If you are a handicapped person, have you considered how you might evacuate an aircraft unassisted by other persons? Would you care to describe your functional limitations and any method by which you could effect an evacuation? (This information may be helpful in developing evacuation procedures and/or evacuation devices).

(9) If you are a handicapped person, considering the possibility of being involved in an emergency evacuation, does the notion that you could be the last passenger evacuated from an aircraft seriously concern you?

Comments are welcome on these areas of interest as well as any additional areas regarding the safety aspects relating to transportation of handicapped persons by air carriers.

This advance notice of proposed rulemaking is issued under the authority of sections 313(a), 601, 603, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and 1424), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on May 30, 1973.

C. R. MELUGER, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.73-11119 Filed 6-4-73;8:45 am]

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 12867]

HANDLEY PAGE (SCOTTISH AVIATION, LTD.) MODEL HP-137 JETSTREAM AIRPLANES

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending part 39 of the Federal Aviation regulations by adding an airworthiness directive applicable to Handley Page Model HP-137 Jetstream airplanes. There have been cases reported in which the engagement depth of the spigots, P/N 13781B-5, of the front spar wing-fuselage fittings have been found to be insufficient. This could lead to premature failure of the spigot and subsequent overloading of the primary wing attachments. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require an initial inspection within the next 100 hours' time in service to ascertain the extent to which spigots are recessed in the spigot housings, and corrective action for those spigots which lack full engagement by more than 0.20 inch. The AD would require that spigots lacking full engagement by more than 0.26 inch be replaced before further flight, while those lacking full engagement by amounts between 0.20 and 0.26 inch be replaced before the accumulation of 2,500 landings since they were installed. Certain designated airplanes that are known to have been manufactured with the latter spigots would not be required to perform the initial inspection. The AD would require that spigots lacking sufficient depth of engagement be replaced either by new longer spigots, P/N 13781B-7, of Handley Page Modification No. 1219, or by new spigots of the existing part number, P/N 13781B-5, that are determined by inspection before flight to lack depth of engagement by no more than 0.26 inch. Those replacement spigots, P/N 13781B-5, lacking full engagement by amounts

between 0.20 and 0.26 inch would be required to be replaced within 2,500 landings of their installation.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before July 5, 1973, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of part 39 of the Federal Aviation regulations by adding the following new airworthiness directive:

HANDLEY PAGE (SCOTTISH AVIATION, LTD.)
Applies to Jetstream Model HP-137 Mark I airplanes that do not have Handley Page Modification No. 1219 incorporated.

Compliance is required as indicated.
To provide for adequate depth of engagement of wing-fuselage fittings accomplish the following:

(a) For Jetstream airplanes serial Nos. 213, 216, 217, 218, 220, 221, 224, 237, 238, and 246, within the next 100 hours' time in service after the effective date of this AD or, prior to the accumulation of a total of 2,500 landings, whichever occurs later, unless already accomplished, comply with paragraph (c) of this AD.

(b) For all other airplanes, within the next 100 hours' time in service after the effective date of this AD, unless already accomplished, radiographically inspect spigots, P/N 13781B-5, for depth of engagement of the spigot in its housing in accordance with paragraph 2(2) of Handley Page Jetstream Service Bulletin No. 7/1, Issue No. 3, dated February 1970, or an FAA-approved equivalent.

(1) If the spigot is found during the inspection required by this paragraph to be recessed in its housing by an amount more than 0.26 inches, before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where this work can be performed, comply with paragraph (c) of this AD.

(2) If the spigot is found during the inspection required by this paragraph to be recessed in its housing by an amount of 0.26 inch or less, but greater than 0.20 inch, before the accumulation of a total of 2,500 landings, comply with paragraph (c) of this AD.

(c) Replace affected spigots by accomplishing one of the following:

(1) Install a longer spigot, P/N 13781B-7.
(2) Install a new spigot of the same part number that is shown by radiographic inspection performed in accordance with paragraph 2(2) of Handley Page Jetstream Service Bulletin No. 7/1, Issue No. 3, dated

February 1970, or an FAA-approved equivalent to be recessed in its housing by an amount not exceeding 0.25 inch, and comply with paragraph (d) of this AD, as applicable.

(d) For replacement spigots, P/N 13781B-5, that are found during an inspection required by paragraph (c) of this AD to be recessed by an amount of 0.26 inches or less but exceeding 0.20 inches, before the accumulation of 2,500 landings on the replacement spigot, comply with paragraph (c) of this AD.

(e) For the purpose of complying with this AD, and subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be established by dividing each airplane's hours' time in service by the operator's fleet average flight time from takeoff to landing for the Model HP-137 Jetstream airplane.

Issued in Washington, D.C., on May 25, 1973.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.73-11125 Filed 6-4-73;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 71-AL-8]

POSITIVE CONTROL AREA

Proposed Establishment

The Federal Aviation Administration (FAA) is considering amending part 71 of the Federal Aviation Regulations to designate positive control area over the majority of the State of Alaska, flight level 240 to flight level 600, inclusive.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before August 6, 1973, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The airspace proposal in this docket would designate as positive control area the airspace over the State of Alaska, flight level 240 to flight level 600 inclusive, except for that portion of the Alaska Peninsula west of longitude 160°00'00" west.

While the number of aircraft presently operating within the proposed airspace is not large, air traffic activity is forecasted to steadily increase for the next 5 years. Closure speeds in excess of 1000 knots are possible between aircraft operating within the proposed airspace.

The see and avoid type separation, as provided by pilots while operating in accordance with visual flight rules (VFR), is not effective at such speeds since pilots are unable to detect other aircraft and maneuver to avoid collision. A positive control area would enhance safety by insuring that positive separation is provided by the air traffic control system.

A similar type of positive control airspace exists in Canadian airspace between flight levels 230 and 450. This airspace is identified as the Northern Control Area and Southern Control Area. Additionally, a form of positive separation is provided within the Anchorage Oceanic/Arctic Control Area in that aircraft must file instrument flight rule flight plans when operating more than 100 nautical miles from the shoreline as stipulated by special International Civil Aviation Organization rules and procedures. The establishment of positive control area as proposed for the State of Alaska would be consistent with adjacent airspace.

Air traffic control radar serves only a portion of the proposed positive control area. In areas of high traffic volume, it is essential that radar be used to provide positive control service. However, in those areas of the proposed positive control airspace which lack radar coverage, the forecasted current and long-term traffic volume indicates that efficient service can be provided through the use of non-radar separation standards.

Federal Aviation Regulation § 91.97(a) requires, among other things, that all aircraft operating within positive control areas be equipped with a coded radar beacon transponder. However, FAR § 91.97(b) allows air traffic control to authorize deviations from this requirement on a continuing basis. It is the FAA's intention to authorize deviations from the transponder requirement on a continuing basis for aircraft operations outside of air traffic control radar coverage within the proposed Alaska positive control area.

In consideration of the foregoing, it is proposed to amend part 71 of the Federal Aviation Regulations as follows:

By amending § 71.193 by adding the following:

ALASKA POSITIVE CONTROL AREA

That airspace of the State of Alaska, excluding the Alaska Peninsula west of longitude 160°00'00" W., flight level 240-flight level 600, inclusive.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on May 23, 1973.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.73-11126 Filed 6-4-73;8:45 am]

Office of the Secretary

[49 CFR Part 85]

[Docket No. 32; Notice No. 73-5]

HIGH VALUE COMMODITY STORAGE

Cargo Security Advisory Standards

This is the second in a series of cargo security advisory standards to be issued by the Department of Transportation's Office of Transportation Security.

The possibility of cargo loss is increased when operational requirements or the size of the facility requires that cargo be left in a facility prior to delivery or transfer. Such a situation presents special threat to high-value cargo. Where operational necessity precludes expeditious cross-dock movement, loss can be minimized by the use of a security crib for high-value cargo. In addition to the physical security provided by a crib, increased accountability afforded by thorough security crib procedures insures that high-value cargo will receive the added protection necessary to keep internal loss to a minimum.

Each carrier, stevedoring company, and freight forwarder, regardless of mode, should determine, based on its own operational and security requirements, which commodities should be placed in a security crib. Certain items, such as clothing, alcohol, and cigarettes, constitute high-value/high-risk commodities in all modes and geographic regions. Other items may require a high degree of attention in only some regions or by only some companies.

Each company should know what its high-value/high-risk shipments are and place these items in a security crib when they must be kept in a facility awaiting delivery or transfer. Where it is determined that, because of facility size, loss experience, and type of operation, a security crib is impracticable or unnecessary, a secure area in the facility should be set aside for high-value cargo, as outlined in the procedures which follow.

The advisory standard which follows suggests procedures and policies intended to assist all parts of the transportation industry in reducing the incidence of loss and theft of cargo entrusted to their care. This advisory standard is not mandatory, and nothing in it replaces or modifies any statutory requirement or any regulatory authority vested in any Federal, State, or local governmental body.

In consideration of the foregoing, the Department proposes to establish part 85-2 of the appendix to part 85 of title 49 of the Code of Federal Regulations to read as follows:

APPENDIX—CARGO SECURITY ADVISORY STANDARDS

PART 85-2—HIGH VALUE COMMODITY STORAGE

SUBPART A—GENERAL

Sec.	
85-2.1	Purpose.
85-2.3	Definitions.

SUBPART B—LOCATION OF SECURITY CRIB

- Sec. 85-2.11 Location.
85-2.13 Separation from over, short, and damaged crib.
85-2.15 Small facilities.

SUBPART C—CONSTRUCTION OF SECURITY CRIB

- 85-2.21 Materials.
85-2.23 Size.
85-2.25 Visual observation.
85-2.27 Portable security crib.

SUBPART D—ACCESS AND CONTROL

- 85-2.31 Custodian.
85-2.33 Entrance in absence of custodian.

SUBPART E—ACCOUNTABILITY

- 85-2.41 Control log.
85-2.43 Physical inventory.
85-2.45 Theft or pilferage.
85-2.47 Discrepancies.
85-2.49 Completed logs.

SUBPART F—SECURITY

- 85-2.51 Lock.
85-2.53 Keys.
85-2.55 Surrounding area.
85-2.57 Electronic surveillance.
85-2.59 Procedures in lieu of a security crib.

APPENDIX—CARGO SECURITY ADVISORY STANDARDS

PART 85-2—HIGH VALUE COMMODITY STORAGE

Subpart A—General

SEC. 85-2.1 *Purpose.* (a) The purpose of this part is to set forth minimum procedures and guidelines that should be observed in order to minimize the risk of loss of high-value cargo.

(b) The provisions herein are general and each may not apply to every transportation mode.

SEC. 85-2.3 *Definitions.* As used in this part—

"Custodian" means a person having direct day-to-day control of a security crib, including custody of and responsibility for the contents thereof.

"High-value cargo" means cargo handled at a facility, which cargo, because of its monetary value, utility, desirability, or history of frequent theft, requires greater protection than other commodities normally handled at the facility.

"Security crib" means an enclosure for temporary storage of high-value cargo; also referred to as "cage," "corral," "vault," or "lockup."

Subpart B—Location of Security Crib

SEC. 85-2.11 *Location.* (a) A security crib should be located in the vicinity of and, ideally, within sight of, the terminal or dock office. It should not be located in a remote area of the facility.

(b) The location should be conducive to frequent, if not continuous, surveillance by supervisory personnel.

(c) Large facilities may require two security cribs, one at each end, provided there is opportunity for reasonable surveillance of both security cribs.

SEC. 85-2.13 *Separation from over, short, and damaged crib.* A security crib should be separate from an over, short, and damaged crib. Over and damaged freight should not be stored in a security crib unless it is of high value.

SEC. 85-2.15 *Small facilities.* (a) In a small facility, space limitations may prevent the use of a security crib. In such an instance high-value cargo should be stored in an area specifically designated and reserved for this purpose.

(b) The area described in paragraph (a) of this section should be—

- (1) Clearly marked;
- (2) Made off limits to unauthorized personnel;
- (3) Within sight of the dock office; and
- (4) Capable of constant supervisory observation.

Subpart C—Construction of Security Crib

SEC. 85-2.21 *Materials.* A security crib should be constructed of substantial materials which make the crib resistant to forced entry on all sides, underneath, and overhead.

SEC. 85-2.23 *Size.* (a) A security crib should be of a size adequate for storage of all high-value cargo present at the facility at any time. It should not be so large, however, as to encroach upon space necessary for normal operations, thereby resulting in the use of security crib space for other than high-value cargo.

(b) The walls of a security crib should extend to the ceiling of the room in which it is located or be at least 10 feet high with a substantial top or roof resistant to forced entry.

(c) When a shipment of high-value cargo is too large to be stored entirely within a security crib, it should be—

- (1) Segregated from other cargo;
- (2) Stored within sight of supervisory personnel; and
- (3) Physically inspected at least daily by a supervisor for indication of theft or pilferage.

SEC. 85-2.25 *Visual observation.* Construction should permit visual observation of the entire security crib from the outside to deter unauthorized entry and covert tampering with the high-value cargo therein.

SEC. 85-2.27 *Portable security crib.* In the event that use of a portable security crib is necessary, its sides should be securely fastened to the ground to prevent entry underneath by raising of the security crib with a forklift, jack, or other lift equipment.

SUBPART D—ACCESS AND CONTROL

SEC. 85-2.31 *Custodian.* (a) When size of an operation or volume of high-value cargo requires extensive use of a security crib, a custodian should be designated as the one person directly responsible for control of the security crib. At all times access to the security crib should be under the direct control of the custodian and should be limited to those persons having legitimate business in the security crib.

(b) If the size or nature of the particular operation does not warrant the designation of a custodian, supervisory personnel should be authorized to conduct necessary business at the security crib.

SEC. 85-2.33 *Entrance in absence of custodian.* (a) Where the volume of business conducted at a security crib is substantial and a custodian has been designated, any additional duties assigned to the custodian should be limited to minimize the necessity to enter a security crib in his absence.

(b) If entrance to a security crib in the absence of the custodian is unavoidable, the entrance should be—

- (1) Conducted in the presence of supervisory personnel;
- (2) Subsequently reported to the custodian; and
- (3) Entered on appropriate records.

Subpart E—Accountability

SEC. 85-2.41 *Control log.* (a) A control log should be maintained at a security crib, listing all cargo transferred into and out of the security crib.

(b) The log should contain information sufficient to identify positively—

- (1) The cargo transferred;

(2) The time of the transfer; and

(3) The identity of the persons involved in the transfer.

(c) Every transfer should be observed by a responsible supervisor, or the custodian if one has been designated, and entered in the log.

SEC. 85-2.43 *Physical inventory.* (a) Consistent with the size of the security crib and the amount of cargo stored therein, a physical inventory of all freight in the security crib should be made periodically. Comparison should then be made with the log described in § 85-2.41 or with a running inventory.

(b) The interval between inventories should not exceed 30 days. Cleared inventory records should remain on file.

SEC. 85-2.45 *Theft or pilferage.* Whenever there is evidence of theft or pilferage from the security crib an immediate and thorough investigation should be conducted. Proper records will indicate when a loss occurred and the persons involved.

SEC. 85-2.47 *Discrepancies.* A security crib should be inspected daily by the facility manager or his representative with discrepancies investigated immediately and errors in procedures brought to the attention of supervisors concerned as quickly as possible.

SEC. 85-2.49 *Completed logs.* Completed logs should be kept in a secure place for at least 1 year or such other period of time as the company feels they may be needed for investigation of claims.

Subpart F—Security

SEC. 85-2.51 *Lock.* (a) A security crib should be securely locked when unattended.

(b) The lock should be changed—

- (1) Periodically to minimize the effect of unauthorized duplication of the key; and
- (2) Whenever a key to the lock is missing for any period of time.

(c) Serial numbers should be removed from the lock and all keys.

SEC. 85-2.53 *Keys.* (a) Keys to the lock on a security crib should be kept by authorized supervisors, or the custodian if one has been designated, and be placed in a locked key box or other secure place at the close of business.

(b) To preclude surreptitious duplication, keys should never leave the facility nor be given, even temporarily, to unauthorized persons.

(c) The number of duplicate keys should be kept to a minimum, and duplicate keys should be accorded the same protection as the original keys.

SEC. 85-2.55 *Surrounding area.* Floor space immediately adjacent to a security crib should be kept clear of stacked cargo which can reduce visibility.

SEC. 85-2.57 *Electronic surveillance.* Depending upon the value of cargo stored in a security crib, the number of transfers thereto and from, and other variables, continuous electronic surveillance of a security crib may be advisable. In such a case, a responsible person or persons should be assigned responsibility of monitoring the television receivers. The versatility of closed circuit television combined with a video tape recorder is ideal for electronic surveillance of a security crib when continuous monitoring of the television receivers is not possible. If tapes are used, they should be reviewed periodically to determine whether unauthorized entry occurs.

SEC. 85-2.59 *Procedures in lieu of a security crib.* The size of an operation, the geographic area in which a facility is located, and the prior loss record may indicate that a security crib is not needed at a particular facility. Special procedures for controlling high-value cargo should still be used and may include—

- (a) Storage in a special area;
- (b) Storage in the over, short, and damaged crib;

- (c) Daily inventories; and
- (d) Continuous surveillance.

Before taking final action to issue the proposed advisory standard, the Department will consider the timely comments of all interested persons. Comments should identify the docket or notice number (see above) and be submitted to the Docket Clerk, Office of the General Counsel, TGC, Department of Transportation, Washington, D.C. 20590. Comments received on or before July 20, 1973, will be considered before final action is taken. All docketed comments will be available for public inspection and copying, both before and after the closing date for comments, in the Office of the Assistant General Counsel for Regulation, room 10100, Department of Transportation Headquarters (Nassif) Building, 400 Seventh Street SW., Washington, D.C., between 9 a.m. and 5:30 p.m. local time, Monday through Friday, except Federal holidays.

This proposal is issued under authority of section 9(e) (1) of the Department of Transportation Act (80 Stat. 944, 49 U.S.C. 1657(e)(1)), and section 85.3 of the "Regulations of the Office of the Secretary of Transportation" (49 CFR 85.3).

Issued in Washington, D.C., on May 31, 1973.

RICHARD F. LALLY,
Director of
Transportation Security.

[FR Doc.73-11205 Filed 6-4-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 51]

NITROGEN DIOXIDE CONTROL STRATEGY

Requirements for the Preparation, Adoption, and Submittal of Implementation Plans

On August 14, 1971 (36 FR 15486), the Administrator of the Environmental Protection Agency (EPA) promulgated as 42 CFR part 420, regulations for the preparation, adoption, and submittal of State implementation plans under section 110 of the Clean Air Act, as amended. These regulations were republished on November 25, 1971 (36 FR 22398) as 40 CFR part 51. Section 51.14, Control Strategy: Carbon monoxide, hydrocarbons, photochemical oxidants, and nitrogen dioxide was revised December 30, 1971 (36 FR 25233) specifically in regard to nitrogen dioxide. The proposed regulations set forth below would further revise the control strategy requirements for nitrogen dioxide.

Currently, 40 CFR 51.14 requires States to adopt nitrogen oxides emission control regulations applicable to certain stationary sources in those AQCRs where emission standards for new motor vehicles and transportation control measures

needed for carbon monoxide and/or photochemical oxidants will not result in sufficient nitrogen oxides emission reductions to insure attainment of the national standard for nitrogen dioxide. The underlying rationale for this requirement is related to the complex atmospheric chemistry involved in the formation of nitrogen dioxide in the ambient air. Very little of the nitrogen dioxide present in the ambient air is emitted as nitrogen dioxide for stationary or mobile sources. Most nitrogen dioxide is a secondary pollutant formed as a result of the oxidation of nitric oxide to nitrogen dioxide in the ambient air. Thermal oxidation of nitric oxide by atmospheric oxygen is a very slow process; however, during daylight hours, photochemical conversion of nitric oxide to nitrogen dioxide occurs rapidly, especially in the presence of high concentrations of hydrocarbons and other organic substances. In some cases, the oxidation continues, removing the nitrogen dioxide from the atmosphere. Laboratory experiments consistently have shown that the rate of photochemical conversion of nitric oxide to nitrogen dioxide decreases as concentrations of organic hydrocarbons decrease.

Although it has not been possible, thus far, to quantify the impact of hydrocarbon control on nitrogen dioxide concentrations under actual environmental conditions, EPA's position has been that the impact would be sufficient to obviate widespread control of nitrogen oxides emissions beyond that to be achieved directly through implementation of the motor vehicle emission standards and incidentally through transportation control measures. In light of the proposed reclassification of AQCR's, as set forth elsewhere in this issue of the FEDERAL REGISTER, EPA is now proposing a revision of 40 CFR 51.14, such that State plans for attainment of the national standard for nitrogen dioxide in priority I AQCR's will have to include an explicit showing that the national standard will be attained. Toward this end, States still will be able to take credit for nitrogen oxides emission control achieved directly through the motor vehicle emission standards and incidentally through transportation control measures, and, where demonstrable, through hydrocarbon emission control. Further studies of the hydrocarbon-nitrogen dioxide relationship currently are underway.

For the time being, the requirements of revised 40 CFR 51.14 would be applied only to the Los Angeles and Chicago AQCR's. For the other two AQCR's which remain priority I, i.e., New York, New Jersey, Connecticut, and Wasatch Front (Salt Lake City), a 1-year period for SIP revision would be granted. If additional data show that these AQCR's should be classified priority III, the requirement for SIP revision would be

rescinded. Pending final action on a new reference method for measurement of nitrogen dioxide, the adequacy of State plans for attainment of the national standard would be assessed in terms of air quality data related to the candidate methods set forth elsewhere in this issue of the FEDERAL REGISTER.

All interested parties are invited to submit written comments on the proposed regulations set forth below. Comments should be submitted, preferably in triplicate, to the Environmental Protection Agency, Office of Air Quality Planning and Standards, Control Programs Development Division, Research Triangle Park, N.C. 27711, Attention: Mr. Schueneman. All relevant comments received on or before July 20, 1973, will be considered. Comments received by EPA will be available for inspection during normal business hours at the Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460. The regulations proposed herein, with appropriate modification, will be effective on republication in the FEDERAL REGISTER. This notice of proposed rulemaking is issued under the authority of section 110 of the Clean Air Act (42 U.S.C. 1857c5).

Dated May 29, 1973.

ROBERT W. FRI,
Acting Administrator.

1. Section 51.14, paragraph (c) (2) is revised and paragraph (c) (3) is revoked to read as follows:

§ 51.14 Control strategy: Carbon monoxide, hydrocarbons, photochemical oxidants, and nitrogen dioxide.

(c) * * *

(2) With respect to control of carbon monoxide and nitrogen oxides, the proportional model which may be used for purposes of this paragraph is described in § 51.13(e) (2).

(3) [Revoked]

[FR Doc.73-11169 Filed 6-4-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 18, 21, 73, 74, 89, 91,
93]

[Docket No. 18262]

LAND MOBILE SERVICE

Order To Extend Time to File Supplementary Material

In the matter of an inquiry relative to the future use of the frequency band 806-960 MHz; and amendment of parts 2, 18, 21, 73, 74, 89, 91, and 93 of the rules relative to operations in the land mobile service between 806 and 960 MHz, docket No. 18262.

1. The Land Mobile Communication Section, Communications and Industrial

Electronics Division, Electronics Industries Association (EIA) has requested that the time to file certain supplementary matter for inclusion in the official record of oral presentation in this proceeding be extended from May 25 to June 8, 1973.

2. The Commission's April 13, 1973 (38 FR 9833) ; order in this proceeding stated that the record would remain open until May 25, 1973, to permit filing of written comments by parties requesting appearance in the oral presentation but not scheduled. Further, in the Commission's May 8, 1973, order and later in the opening statement of the oral presentations the Commission stated that participants who felt that their time allotment did not allow them to adequately address the issues or substantiate their arguments may file supplementary written comments during this same period.

3. EIA states, in its request, that an additional 2 weeks is necessary for some of its member companies to arrange and report the results of tests addressing the subject of potential interference to the proposed land mobile service from microwave ovens operating in the adjacent 915 MHz industrial, scientific, and medical equipment (ISM) band. In addition, EIA also requests a similar time extension to file additional comments addressing the subject of shared private dispatch systems.

4. The Commission feels that the subject of potential interference to the proposed land mobile operations from the microwave ovens operating in the

915 MHz ISM band has not been adequately addressed thus far in this proceeding. Additional data and comments based on actual tests, such as EIA proposes, would be desirable and would not delay the Commission's consideration of the other complex issues in this proceeding. The Commission, therefore, believes that it would be in the best interest of the public to extend the time for filing additional material addressing the microwave oven issue, as requested by EIA.

5. The request for a similar time extension for filing additional comments addressing the subject of shared dispatch system is, however, denied. The Commission already has many comments, including those of EIA members, addressing this subject. In fact, EIA states in its request that its members are in substantial agreement with their previous filings addressing this matter. The Commission therefore concludes that granting additional time here would serve no real benefit and would only delay our own evaluation of this and other inter-related issues which we are very anxious to resolve.

6. Accordingly, it is ordered, Pursuant to § 0.251(b) of the Commission's statement of delegations of authority, that the EIA request to extend from May 25 to June 8, 1973, the time to file supplementary matter for inclusion in the official record specifically addressing the subject of potential interference to the proposed land mobile operations from 915 MHz microwave ovens is granted,

and all other aspects of the EIA request is denied.

Adopted May 24, 1973.

Released May 25, 1973.

[SEAL] JOHN W. PETTIT,
General Counsel.
[FR Doc.73-11175 Filed 6-4-73;8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Parts 2, 154, 157, 250]

[Dockets Nos. R-433, R-389-B]

RESERVES DEDICATION IN THE TEXAS AND JUST AND REASONABLE NATIONAL RATES FOR FUTURE SALES OF NATURAL GAS FROM WELLS

Notice of Extension of Time

MAY 25, 1973.

On May 23, 1973, Standard Oil Co. of Indiana, gulf coast and southern Louisiana areas, requested that it be permitted to serve and file its response to the motion filed May 16, 1973, by the Associated Gas Distributors for an order requiring prompt compliance with order No. 459 in docket No. R-433 with its response to comments to be filed on June 1, 1973, in docket No. R-389-B.

Upon consideration, notice is hereby given that the time is extended to June 1, 1973, within which interested persons may file responses to the AGD motion. The above responses may be filed and served simultaneously with the responses to the submittals in docket No. R-389-B, but should be contained in separate documents.

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11100 Filed 6-4-73;8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

FEDERAL MARITIME COMMISSION

[Docket No. 73-28]

PUBLICATION OF DISCRIMINATORY RATES IN THE U.S. WEST COAST/JAPAN TRADE

Order To Show Cause

The conferences and carriers named in appendix A, attached below operate, inter alia, in the foreign commerce of the United States in the trade between U.S. west coast ports and Japan, and publish their rates in tariffs on file with the Federal Maritime Commission. A review of certain rates published in these tariffs shown in appendix B, attached below, reveals that significant disparities exist between export and import rates. Despite the fact that the named carriers offer a transportation service in both directions of the subject trade, the lower rates are generally applicable to the commodities concerned only if they are carried in the inbound trade. These carriers, therefore, charge significantly different rates for what appear in all respects to be like services differing only in directional movement. Thus, shippers of like traffic will not enjoy the same or even approximately equivalent rates and, specifically, American exporters will be charged rates significantly higher than their Japanese counterparts.

The Commission is aware of no transportation circumstances or conditions which would justify the establishment or maintenance by the named carriers of discriminatory rates in the manner described.

Section 17 of the Shipping Act, 1916, provides, in pertinent part, that " * * * no common carrier by water in foreign commerce shall demand, charge, or collect any rate, fare, or charge which is unjustly discriminatory between shippers * * *. Whenever the Commission finds that any such rate, fare, or charge, is demanded, charged, or collected, it may alter the same to the extent necessary to correct such unjust discrimination * * * and make an order that the carrier shall discontinue demanding, charging, or collecting any such unjustly, discriminatory * * * rate, fare, or charge." In the Commission's opinion, therefore, unless the carriers can offer valid reasons which would justify these rates, they are charging rates which must be considered to be unjustly discriminatory between shippers in violation of section 17 of the Shipping Act, 1916, 46 U.S.C. section 816.

Section 15 of the Shipping Act, 1916, authorizes the Commission to disapprove, cancel, or modify any agreement that it finds to be unjustly discrimina-

tory or unfair as between carriers, shippers, exporters, importers, or ports, to operate to the detriment of the commerce of the United States, to be contrary to the public interest, or to be in violation of the Shipping Act. This section also provides that the Commission shall disapprove any such agreement because of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

The present procedures observed by the conferences named in appendix A impose no obligation on the part of the conferences to eliminate or justify rate disparities in considering shippers' requests or even to inform shippers that a disparity may exist.

The Commission is of the opinion that it is not in the public interest for the conferences to totally ignore the existence of disparities in their negotiations with shippers and to fail to advise shippers that they are entitled to request and obtain rate adjustments if the conferences are unable to justify the existence of a rate disparity.

Furthermore, the Commission is of the opinion that given the existence of a number of rate disparities published in the tariffs of the named conferences which, if unjustified, would constitute unlawful discrimination, the conferences' request and complaint procedures which totally ignore such disparities and give no warning to shippers of their rights under the circumstances are not fair or reasonable within the meaning of section 15 of the Shipping Act, 1916.

The Commission is also of the opinion that the conferences' present procedures regarding reporting of shippers' requests and complaints pursuant to the Commission's General Order 14 do not sufficiently inform the Commission as to whether the particular complaint is based upon disparities, thus hindering the Commission in discharging its responsibilities to eliminate unjust discrimination based upon such disparities.

Now, therefore, it is ordered, That pursuant to sections 22 and 17 of the Shipping Act, 1916, the conferences and carriers named in appendix A be named respondents in this proceeding and that they be ordered to show cause why the Commission should not order the unjust discrimination existing in their export/import rate structures as set forth in appendix B to be eliminated by increasing rates for their inbound services to the level of the outbound rates, or by reducing the comparable rates charged by respondents in their outbound services, or by changing rates in both directions so as to eliminate rate disparities on the commodities in question.

It is further ordered, That pursuant to sections 22 and 15 of the Shipping Act, 1916, respondent conferences be ordered to show cause why their shipper request and complaint procedures should not be modified so as to require the conferences to advise shippers of their right to seek rate adjustments if shippers show the existence of a rate disparity and to obtain an adjustment if the conferences are unable to justify the disparity specifically by publishing in the conference rate application forms furnished to shippers the following or substantially similar language in clear type:

Notice to shipper—you are entitled to request a rate adjustment for your commodity if you can show that there is a lower rate applicable to the same or like commodity which moves or may move in the import (export) trade as published in the tariff of the Trans-Pacific Freight Conference of Japan (Pacific Westbound Conference). Please indicate if you are basing your request on such a comparison. By order of the Federal Maritime Commission we are required to eliminate such a disparity unless we provide you with appropriate justification.

It is further ordered, That pursuant to sections 22, 21, and 15 of the Shipping Act, 1916, respondent conferences be ordered to show cause why their present procedures regarding reporting of shippers' requests and complaints pursuant to General Order 14 should not be modified to require that in those instances in which the basis of the shippers' requests and complaints, in whole or in part is a rate disparity, this fact to be specified.

It is further ordered, That this proceeding shall be limited to the submission of affidavits of fact and memoranda of law, replies thereto, and oral argument, if requested and/or deemed necessary by the Commission. Should any party feel that an evidentiary hearing is required, that party must accompany any request for such hearing with a statement setting forth in detail the facts to be proven, their relevance to the issues in this proceeding, and why such proof cannot be submitted through affidavit. Request for hearing shall be filed on or before June 20, 1973. Affidavits of fact and memoranda of law shall be filed by respondents and served upon all parties no later than the close of business June 20, 1973. Reply affidavits and memoranda shall be filed by the Commission's Bureau of Hearing Counsel and intervenors, if any, no later than the close of business July 11, 1973. Oral argument will be scheduled at a later date if requested and/or deemed necessary by the Commission.

It is further ordered, That a notice of this order be published in the FEDERAL REGISTER and that a copy thereof be served upon respondents.

It is further ordered, That persons other than those already parties to this proceeding who desire to become parties to this proceeding and to participate therein shall file a petition to intervene pursuant to rule 5(1) of the Commission's rules of practice and procedure (46 CFR 502.72) no later than the close of business June 6, 1973.

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in an original and 15 copies as well as being mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

APPENDIX A

PACIFIC WESTBOUND CONFERENCE

D. D. Day, Jr., Chairman, 635 Sacramento St., San Francisco, Calif. 94111.
American Mail Line, Ltd., 1010 Washington Bldg., Seattle, Wash. 98101.
American President Lines, Ltd., 601 California St., San Francisco, Calif. 94108.
Barber Lines, A/S, P.O. Box 1330, Vik, Oslo 1, Norway.
Japan Line, Ltd., Kokusai Building 12, 3 Marunouchi, Chiyoda-Ku, Tokyo, Japan.
Kawasaki Kisen Kaisha, Ltd., 8 Kaigan-dori, Ikuta-Ku, Kobe, Japan.
Knutson Line, Dampskibsselskabet Jeannette Skinner, Skibsselskabet Marie Bakke, Dampskibsselskabet Golden Gate, Dampskibsselskabet Lisbeth, Skibsselskabet Ogeka, Hvalfangstskibsselskabet Suderoy, Knut Knutsen, O.A.S., Hauge-sund, Norway.
Pacific Far East Line, Inc., 141 Battery St., San Francisco, Calif. 94111.
A. P. Moller—Maersk Line, a joint service of: Dampskibsselskabet Af 1912 Aktieselskab, Aktieselskabet Dampskibsselskabet Svenborg, managed by: A. P. Moller, 8 Kongens Nytorv, Copenhagen K, Denmark.
Maritime Co. of the Philippines, 205 Juan Luna, Manila, Philippines.
Mitsui O.S.K. Lines, Ltd., 36 Hitotsuguchi-cho, Akasaka, Minato-ku, P.O. Box 6, Akasaka, Tokyo, Japan.
Nippon Yusen Kaisha, 20, 2-Chome, Marunouchi, Chiyoda-Ku, Tokyo, Japan.
Phoenix Container Liners Ltd., Alexandra House, Hongkong.
Sea-Land Service, Inc., P.O. Box 1050, Elizabeth, N.J. 07207.
Seatrains International, S.A., 1395 Middle Harbor Rd., Oakland, Calif. 94607.
Showa Shipping Co., Ltd. (Showa Kaishu Kaisha, Ltd.), Ida Bldg., No. 1 Yaesu 2-Chome, Chuo-Ku, Tokyo, Japan.
States Steamship Co., 320 California St., San Francisco, Calif. 94104.
Scindia Steam Navigation Co., Ltd., the Scindia House, Ballard Estate, Bombay, 1 B.E., India.
Transportacion Maritima Mexicana, S.A., Av. De Los Insurgentes Sur No. 432 Tercer Piso, Mexico 7, D.F.
United Philippine Lines, United Philippines Bldg., Santa Clara, Intramuros, Manila, R.P.
United States Lines, Inc., 1 Broadway, New York, N.Y. 10004.
Yamashita-Shinnihon Steamship Co., Ltd., Sixth floor, Palaceside Bldg., No. 1, Takehira-cho, Chiyoda-Ku, Tokyo, Japan.
Zim Israel Navigation Co., Ltd. (Zim Container Service Division) (Zim American Israel Shipping Co., Inc., General Agents), 7/9 Ha'atzmout Rd., Haifa, Israel.

ASSOCIATE MEMBERS

Peninsular & Oriental Steam Navigation Co., P. & O. Passenger Division, Beaufort House, St. Botolph St., London EC3A 7DX, England.
Shipping Corp. of India, Ltd., Steelcrete House, Dinshaw Wacha Rd., Bombay 1, India.
States Marine Lines, States Marine International Inc., Global Bulk Transport Inc., Isthmian Lines, Inc. (as one member only), 90 Broad St., New York, N.Y. 10004.
Waterman Steamship Co., Ltd., 140 Broadway, New York, N.Y. 10005.

TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN

James E. Mazure, Chairman, Sumitomo Seimei Yaesu Bldg., 3, Yaesu 4-chome, Chuo-ku, Tokyo 104 Japan.
American Mail Line, Ltd., 1010 Washington Bldg., Seattle, Wash. 98101.
American President Lines, Ltd., 601 California St., San Francisco, Calif. 94108.
Barber Lines A/S, Dronning Mauds Gate No. 1, Oslo 2, Norway (P.O. Box No. 1330, Vik, Oslo 1).
Compania Peruana de Vapores, Gammara 676, Chucuito, Apartado 208, Callao, Peru.
Japan Line, Ltd., Kokusai Bldg., 1-1 Marunouchi 3-chome, Chiyoda-ku, Tokyo 100, Japan.
Kawasaki Kisen Kaisha, Ltd., 8, Kaigan-dori, Ikuta-ku, Kobe 650, Japan.

RATE COMPARISONS BETWEEN PACIFIC WESTBOUND CONFERENCE (U.S. PACIFIC COAST PORTS) AND TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN (JAPANESE PORTS)

1. Rates listed are quoted as of April 25, 1973.
2. Rate quotations are subject to 10-percent currency adjustment surcharge in each conference.
3. Pacific Westbound Conference rates are subject to general increase of 10 percent effective June 15, 1973, thereby further widening the rate disparities listed herein.
4. Key to symbols:
w=2,000 pounds.
m=40 cubic feet.
w/m=40 cubic feet or 2,000 pounds whichever produces the greater revenue.
lt=2,240 pounds.
lt/m=40 cubic feet or 2,240 pounds.

APPENDIX B

Pacific Westbound Conference FMC-8			Trans-Pacific Freight Conference of Japan FMC-34		
Outbound			Inbound		
Commodity description	Item	Rate	Percent of disparity	Item	Rate
Abrasives	010	\$7.00 w/m	73	2740	49.00 w/m.
Abrasive paper	08	\$0.50 w	111	2350	45.75 w/m. ¹
					59.00 w/m. ²
Additives Nonhazardous	013	\$3.00 w/m	33	2520	62.00 w/m. ¹
					60.25 w/m. ²
Agricultural	060	\$3.00 w/m	70	2550-05	45.75 w/m. ¹
Implements			32		59.00 w/m. ²
Parts	030	\$3.00 w/m	23	2230	63.25 w/m.
Alcohols	003	\$7.00 w/m	67	2520	62.00 w/m. ¹
			44		60.25 w/m. ²
Aluminum foil stowage factor 34-35	537	\$0.50 w	62	0000	53.75 w/m.
Automobile, truck or trailer	171	\$7.00 w/m	21	0300	46.25 w/m.
Parts, n.o.s.	171	\$7.00 w/m	5	0300	54.75 w/m.
Athletic equipment	150	\$7.00 w/m	50	0200	45.75 w/m. ³
			34		65.00 w/m. ⁴
Bandages	100	\$3.25 w/m	10	0000	67.00 w/m. ¹ as cargo, n.o.s.
Batteries, dry cell	224	\$7.00 w/m	63	3700-05	53.25 w/m.
Beverages, concentrated	267	\$2.00 w/m	25	0000	67.50 w/m. ¹
Flavoring extracts	267	\$2.00 w/m	70	1600-05	62.25 w/m.
Bollers domestic heating	277	\$2.25 w/m	21	4330	61.25 w/m.
Books and magazines		\$3.00 w/m	32	5700	62.25 w/m. ¹
Printed matter	632	\$7.00 w/m	67	5700	62.25 w/m. ¹
(advertising)			19		73.25 w/m. ²
Books (childrens)	322	\$3.00 w/m	51	0020	45.75 w/m.
Brick, fire	343	\$7.00 w/m	25	2750	45.75 w/m.
Cameras	1709	\$7.00 w/m	21	5000-05	70.00 w/m. ¹
Candy and confectionery	333	\$5.00 w/m	36	1450-05	55.00 w/m.
Carbon, activated in drums	459	\$5.25 w/m	45	2320	62.00 w/m. ¹
			23		60.25 w/m. ²
Other than in drums, vlt in paper bags stowage factor 20	459	\$6.75 w	86		62.00 w/m. ¹
		Up to 80 cft.	61		60.25 w/m. ²
		Over 80 cft. 60% additional			

See footnotes at end of table.

APPENDIX B

Pacific Westbound Conference FMC-8				Trans-Pacific Freight Conference of Japan FMC-84			
Outbound				Inbound			
Commodity description	Item	Rate	Percent of disparity	Commodity description	Item	Rate	Percent of disparity
Carpeting	453	60.25 w/m	24	4220-05	48.50 w/m	woolen.	24
			72	4200	35.00 w/m	other than woolen.	72
Chemicals, Nonhazardous n.o.s.	523	87.00 w/m	67	2520	62.00 w/m	1	67
Cooking and kitchen utensils	631	57.00 w/m	44	6540	60.25 w/m	3	44
Copper, cable, rods, sheets	639	81.00 w/m	89	7040	49.00 w/m	1	89
Furniture, nov.	805	75.00 w/m	73	4300	54.00 w/m	3	73
			62	4500	45.00 w/m	4	62
Geographical globes	875	75.25 w/m	44	5820	51.25 w/m	1	44
			3		52.25 w/m	1	3
Glasses, packing and tumblers	906	55.00 w/m	18	6540	73.25 w/m	3	18
Glass, plate	914	70.75 w/m	68	9280	64.00 w/m	3	68
Glassware	908	71.25 w/m	38	9340	44.75 w/m	1	38
Glassware, machine made	908	60.50 w/m	13	9280	52.50 w/m	1	13
House-prefab.	1003	75.00 w/m	66	6250	46.25 w/m	1	66
Heaters, air, industrial	967A	74.50 w/m	18	6220	63.25 w/m	1	18
Household goods and personal effects	1000	87.00 w/m	13	1200	77.00 w/m	1	13
Flowers	967A	74.50 w/m	18	6220	63.25 w/m	1	18
Link, n.o.s.	1015	87.00 w/m	67	6520	62.25 w/m	1	67
Steam turbines	1325	87.00 w/m	88	6180	73.25 w/m	3	88
Water turbines	8210	87.00 w/m	88	6210	46.25 w/m	1	88
Insecticides	1023	87.00 w/m	67	2520-05	62.00 w/m	1	67
Insulators, electric	1027	87.00 w/m	108	1240	40.25 w/m	3	108
Iron, nonferrous (floor)	2103	61.50 w/m	47	1300	41.75 w/m	1	47
Iron and steel, angles bars and beams	1050	45.75 w/m	7	4240	48.00 w/m	1	7
Iron and steel billets, bolts and forgings	1062	51.75 w/m	67	7180	Open min.	\$31.	67
			57		Open min.	\$31.	57
Steel structural, n.o.s.	1073	73.85 w/m	73	7530	42.75 w/m	1	73
Business steel pipes or tubes	221	87.00 w/m	61	8140	53.75 w/m	1	61
Businssing	450	87.00 w/m	53	3060	44.00 w/m	1	53
Camps and lanterns	1117	72.25 w/m	33		52.25 w/m	1	33
Laundry equipment	1327	70.25 w/m	62	3055	43.25 w/m	1	62
Liquors							
Wine	255	58.50 w/m	0.4	1440-05	58.75 w/m	1	0.4
Vodka	221	70.75 w/m	23	1440-11	62.25 w/m	1	23
Whisky	1339	87.25 w/m	33	6000	52.00 w/m	1	33
Office supplies	1416	87.00 w/m	67	6320-05	73.25 w/m	1	67
(stationery)			19	6320-10	62.25 w/m	1	19
Stationery	338	87.00 w/m	23	9370	45.75 w/m	1	23
Books	2087	71.00 w/m	36	9400	52.25 w/m	1	36
Books, paper tape, cloth	1026	92.00 w/m	73	9480	62.25 w/m	1	73
Cellulose and cellophane film	472	71.50 w/m	37	9480	62.25 w/m	1	37
Hardware as carpenter's tools	450	87.00 w/m	47	4500	59.00 w/m	1	47
Plumbing material and parts	1330	67.00 w/m	31	4540-05	43.50 w/m	1	31
Control valves, shower, sink and lavatories	1330	67.00 w/m	31	4540	43.50 w/m	1	31
Elements dry paint	732	72.75 w/m	40	2520-05	52.00 w/m	10	40
Iron oxide	455	71.25 w/m	18	2520-10	60.25 w/m	11	18
Planes	1002	86.75 w/m	90	6340-05	45.75 w/m	10	90
			41	6340-10	61.50 w/m	11	41
			40	3310	59.00 w/m	11	40
Radio and parts	2068	87.00 w/m	63	4110	51.75 w/m	11	63
Television sets	2068	87.00 w/m	63	4110	51.75 w/m	11	63
Parts for assembly	2068	87.00 w/m	63	4110	51.75 w/m	11	63
Radio making implements and parts	1782	87.00 w/m	33	6220	63.25 w/m	1	33
Refrigerators	1774	65.00 w/m	30	3555	43.25 w/m	1	30
Ranges, domestic stoves	2030	72.50 w/m	45	4380-10	49.00 w/m	1	45
Shoes							
Leather	551	57.50 w/m	77	6200	49.25 w/m	1	77
Canvas and rubber	325	57.50 w/m	77	6200	49.25 w/m	1	77
Steel sheets and coils	1074	44.00 w/m	42	7180	Open min.	\$31 w/m.	42
					Min. 1,000 tons open.		
Toys and games, n.o.s.	2137	57.50 w/m	25	6920	45.75 w/m	1	25
Tractors	2141	75.75 w/m	45	6100	52.00 w/m	1	45
Tractors parts, n.o.s.	2141	75.75 w/m	45	6100	52.00 w/m	1	45

Pacific Westbound Conference FMC-8				Trans-Pacific Freight Conference FMC-8			
Outbound				Inbound			
Commodity description	Item	Rate	Percent of disparity	Commodity description	Item	Rate	Percent of disparity
Machinery, n.o.s (trucks forklift)	450	87.00 w/m	67	4890	52.00 w/m.		
Tire patches	2108	86.50 w/m	37	9780	62.25 w/m.		
Rubber cement and tire repair kits	2108	86.50 w/m	37	9780	62.25 w/m.		
Textile specialty	1438	77.25 w/m	49	2520	60.25 w/m.		
Compound			23	2520	60.25 w/m.		
Weed killing compound	2186	57.00 w/m	10	6220	63.25 w/m.		
Welders and welding equipment	2190	74.00 w/m	37	2520-05	62.00 w/m.		
Service station equipment	1862	87.00 w/m	13	2520-10	60.25 w/m.		
Copy machine chemicals	623	87.00 w/m	44	2520-05	62.00 w/m.		
Plasticizer, resin	707	82.25 w/m	63	2520-10	60.25 w/m.		
			37	2520-10	60.25 w/m.		
Anolamines	1380	83.25 w/m	93	2520-10	60.25 w/m.		
			11	2520-10	60.25 w/m.		
Polyvinylchloride	1778	64.75 w	21	1470-05	68.50 w.		
Resins, synthetic	1777	70.00 w	21	1470-05	68.50 w.		
Compound or powder			33	5220	63.25 w/m		
Machinery, n.o.s.	1325	87.00 w/m	88				
Generators, portable	1325	87.00 w/m	88				
Generators, power station	1325	87.00 w/m	88				
Chain saws	1325	87.00 w/m	38				
Pumps, fire, power	1325	87.00 w/m	38				
Pumps, gasoline, power	1325	87.00 w/m	38				
Machines, coin operated	1325	87.00 w/m	11				
Shoe machinery	1325	87.00 w/m	38				
Machines, sewing	1325	87.00 w/m	38				
Machines, office, o.s.	1325	87.00 w/m	29				
Machines, mail sorting	1325	87.00 w/m	47				
Including compilers and parts	1325	87.00 w/m	38				
Machines washing, household and graves	1327	70.25 w/m	62				
Typewriters	2107	87.00 w/m	42				
Cargo, n.o.s.	450	87.00 w/m	20	9990-05	67.50 w/m.		
Cravens as cargo, n.o.s.	450	87.00 w/m	20	6020	46.75 w/m.		
Pencils as cargo, n.o.s.	450	87.00 w/m	07	6320	52.25 w/m.		
			19		73.25 w/m.		
Compacts manœuvre Implements as cargo, n.o.s.	450	87.00 w/m	90	6070	46.75 w/m.		
			47		59.00 w/m.		
Musical Instruments, other than pianos	450	87.00 w/m	90	6340	46.75 w/m.		
Tools, electric, hand	2135A	87.00 w/m	33	5060	63.25 w/m.		
Tools, other than electric	2135A	87.00 w/m	33	5060	63.25 w/m.		
			47	5980	59.00 w/m.		
Coffee, instant	608	77.25 w/m	48	1660	52.25 w/m.		
Nonmilk creamer	1300	73.75 w/m	41	1660	52.25 w/m.		
Tea, instant	2002	82.25 w/m	86	1640	44.00 w/m.		
Food, dog or cat, canned	127	46.50 w	6	1420	44.00 w/m.		
Wallboard, fiber and hardwood	290	59.00 w/m	39	42.00	41.75 w/m.		
Doors, wooden	725	74.50 w/m	85	4340	40.25 w/m.		
Circuit breakers	742A	87.00 w/m	78	4760	49.00 w/m.		
				1 Not exceeding \$800 per revenue ton f.o.b.			
				2 Exceeding \$800 per revenue ton f.o.b.			
				3 Not exceeding \$800 per revenue ton f.o.b.			
				4 Not exceeding \$800 per revenue ton f.o.b.			
				5 Under \$300 per revenue ton f.o.b.			
				6 Over \$300 per revenue ton f.o.b.			
				7 Under \$800 per revenue ton f.o.b.			
				8 Over \$800 per revenue ton f.o.b.			
				9 Under \$800 per revenue ton f.o.b.			
				10 Over \$800 f.o.b. value			
				11 Values not exceeding \$1,000 per revenue ton f.o.b.			
				12 Values over \$1,000 to \$3,000 per revenue ton f.o.b.			
				13 Values exceeding \$1,000 per revenue ton f.o.b.			
				14 Values not exceeding \$800 per revenue ton f.o.b.			
				15 Values exceeding \$800 per revenue ton f.o.b.			

1 FEB Doc 73-10727 Filed 6-4-73 8:45 am

[FBI Doc:73-10727 Filed 6-4-73; 8:45 am]

[Docket No. 73-29]

PUBLICATION OF DISCRIMINATORY RATES IN THE U.S. ATLANTIC AND GULF/JAPAN TRADE

Order To Show Cause

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The Commission is aware of no transportation circumstances or conditions which would justify the establishment or maintenance by the named carriers of discriminatory rates in the manner described.

Section 17 of the Shipping Act, 1916, provides, in pertinent part, that " * * * no common carrier by water in foreign commerce shall demand, charge, or collect any rate, fare, or charge which is unjustly discriminatory between shippers * * *. Whenever the Commission finds that any such rate, fare, or charge, is demanded, charged, or collected, it may alter the same to the extent necessary to correct such unjust discrimination * * * and make an order that the carrier shall discontinue demanding, charging, or collecting any such unjustly discriminatory * * * rate, fare, or charge." In the Commission's opinion, therefore, unless the carriers can offer valid reasons which would justify these rates, they are charging rates which must be considered to be unjustly discriminatory between shippers in violation of section 17 of the Shipping Act, 1916, 46 U.S.C. § 816.

Section 15 of the Shipping Act, 1916, authorizes the Commission to disapprove, cancel, or modify any agreement that it finds to be unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, to operate to the detriment of the commerce of the United States, to be contrary to the public interest, or to be in violation of the Shipping Act. This section also provides that the Commission shall disapprove any such agreement because of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

The present procedures observed by the conferences named in appendix A

impose no obligation on the part of the conferences to eliminate or justify rate disparities in considering shippers' requests or even to inform shippers that a disparity may exist.

The Commission is of the opinion that it is not in the public interest for the conferences to totally ignore the existence of disparities in their negotiations with shippers and to fail to advise shippers that they are entitled to request and obtain rate adjustments if the conferences are unable to justify the existence of a rate disparity.

Furthermore, the Commission is of the opinion that given the existence of a number of rate disparities published in the tariffs of the named conferences which, if unjustified, would constitute unlawful discrimination, the conferences' request and complaint procedures which totally ignore such disparities and give no warning to shippers of their rights under the circumstances are not fair or reasonable within the meaning of section 15 of the Shipping Act, 1916.

The Commission is also of the opinion that the conferences' present procedures regarding reporting of shippers' requests and complaints, pursuant to the Commission's General Order 14, do not sufficiently inform the Commission as to whether the particular complaint is based upon disparities, thus hindering the Commission in discharging its responsibilities to eliminate unjust discrimination based upon such disparities.

Now, therefore, it is ordered, That pursuant to sections 22 and 17 of the Shipping Act, 1916, the conferences and carriers named in appendix A be named respondents in this proceeding and that they be ordered to show cause why the Commission should not order the unjust discrimination existing in their export/import rate structures as set forth in appendix B to be eliminated by increasing rates for their inbound services to the level of the outbound rates, or by reducing the comparable rates charged by respondents in their outbound services, or by changing rates in both directions so as to eliminate rate disparities on the commodities in question.

It is further ordered, That pursuant to sections 22 and 15 of the Shipping Act, 1916, respondent conferences be ordered to show cause why their shipper request and complaint procedures should not be modified so as to require the conferences to advise shippers of their right to seek rate adjustments if shippers show the existence of a rate disparity and to obtain an adjustment if the conferences are unable to justify the disparity specifically by publishing in the conference rate application forms furnished to shippers the following or substantially similar language in clear type:

Notice to shipper—You are entitled to request a rate adjustment for your commodity if you can show that there is a lower rate applicable to the same or like commodity which moves or may move in the import (export) trade as published in the tariff of the Japan Atlantic & Gulf Freight Conference (Far East Conference). Please indicate if you are basing your request on such a comparison. By order of the Federal Mar-

itime Commission we are required to eliminate such a disparity unless we provide you with appropriate justification.

It is further ordered, That pursuant to sections 22, 21, and 15 of the Shipping Act, 1916, respondent conferences be ordered to show cause why their present procedures regarding reporting of shippers' requests and complaints pursuant to general order 14 should not be modified to require that in those instances in which the basis of the shippers' requests and complaints, in whole or in part is a rate disparity, this fact be specified.

It is further ordered, That this proceeding shall be limited to the submission of affidavits of fact that memoranda of law, replies thereto, and oral argument, if requested and/or deemed necessary by the Commission. Should any party feel that an evidentiary hearing is required, that party must accompany any request for such hearing with a statement setting forth in detail the facts to be proved, their relevance to the issues in this proceeding, and why such proof cannot be submitted through affidavit. Request for hearing shall be filed on or before June 20, 1973. Affidavits of fact and memoranda of law shall be filed by respondents and served upon all parties no later than the close of business June 20, 1973. Reply affidavits and memoranda shall be filed by the Commission's Bureau of Hearing Counsel and intervenors, if any, no later than the close of business July 11, 1973. Oral argument will be scheduled at a later if requested and/or deemed necessary by the Commission.

It is further ordered, That a notice of this order be published in the FEDERAL REGISTER and that a copy thereof be served upon respondents.

It is further ordered, That persons other than those already parties to this proceeding who desire to become parties to this proceeding and to participate therein shall file a petition to intervene pursuant to rule 5(1) of the Commission's rules of practice and procedure (46 CFR § 502.72) no later than the close of business June 6, 1973.

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in an original and 15 copies as well as being mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

APPENDIX "A"

FAR EAST CONFERENCE

Gerald J. Flynn, chairman, 11 Broadway, New York, N.Y. 10004.

American Export Lines, Inc., 26 Broadway, New York, N.Y. 10004.

American President Lines, Ltd., International Bldg., 601 California St., San Francisco, Calif. 94103.

Barber Lines, A/S, P.O. Box 1330, Vikta, Oslo 1, Norway.

Blue Sea Line, joint service Blue Funnel Line, Ltd., India Bldgs., Water St., Liverpool L3 0RB, England.

The Swedish East Asia Co., Ltd., P.O. Box 2524, 403 17 Gothenburg 2, Sweden.

NOTICES

Japan Line, Ltd., Kishimoto Bldg., 2-18 Marunouchi, Chiyoda-ku, Tokyo, Japan.

Kawasaki Kisen Kaisha, Ltd., 8 Kaigan-Dori, Ikuta-ku, Kobe, Japan.

Lykes Bros. Steamship Co., Inc., P.O. Box 53068, New Orleans, La. 70150.

Maritime Co. of the Philippines, Inc., 205 Juan Luna, Manila, Philippines.

Mitsui, O.S.K. Lines, Ltd., 3-3, 5-chome, Akasaka Minato-ku, Tokyo, Japan.

A. P. Moller-Maersk Line, joint service Dampskibsselskabet Af 1912 Aktieselskab Aktieselskabet Dampskibsselskabet Svendborg, A. P. Moller, 8 Kongens Nytorv, Copenhagen K, Denmark.

Nippon Yusen Kaisha, Ltd., 3-2, Marunouchi 2-chome, Chiyoda-ku, Tokyo, Japan (postal code 100).

Sea-Land Service, Inc., Fleet and Corbin Sts., P.O. Box 1050, Elizabeth, N.J. 07207.

States Marine Lines, joint service States Marine International, Inc., Global Bulk Transport Inc., Isthmian Lines, Inc., High Ridge Park, P.O. Box 1540, Stamford, Conn. 06904.

Thai Mercantile Marine Ltd., rooms 2-3, sixth floor, Bangkok Bank Bldg., 300 Silom Rd., Bangkok, Thailand.

United Philippine Lines, Inc., United Philippine Lines Bldg., Santa Clara St., Walled City, Manila, Philippines.

United States Lines, Inc. (American Pioneer Line), 1 Broadway, New York, N.Y. 10004.

Waterman Steamship Corp., 140 Broadway, New York, N.Y. 10005.

Yamashita-Shinnihon Steamship Co., Ltd., sixth floor, Palace-Side Bldg., No. 1, Takehira-cho, Chiyoda-ku, Tokyo, Japan.

Zim Israel Navigation Co., Ltd. (Zim Container Service Division) (Zim-American Israeli Shipping Co., Inc., General Agents), 207-209 Hameginim Ave., Haifa, Israel.

JAPAN-ATLANTIC & GULF FREIGHT CONFERENCE

James E. Mazure, Chairman, Sumitomo Seimei Yaesu Bldg., 3, Yaesu 4-chome, Chuo-ku, Tokyo 104, Japan.

American Export Lines, Inc., 17 Battery Pl., New York, N.Y. 10004.

American President Lines, Ltd., 601 California St., San Francisco, Calif. 94108.

Barber Lines A/S, Dronning Mauds Gate No. 1, Oslo 2, Norway (P.O. Box No. 1380, Vikka, Oslo 1).

Blue Sea Line:

The Swedish East Asia Co., Ltd., 403 17 Gothenburg 2, Sweden (Box 2524).

Ocean Transport & Trading Ltd., India Bldgs., Liverpool, L2-0RB, England (as one member or party only).

Japan Line, Ltd., Kokusai Bldg., 1-1, Marunouchi 3-Chome, Chiyoda-ku, Tokyo, 100 Japan.

Kawasaki Kisen Kaisha, Ltd., 8 Kaigan Dori, Ikuta-ku, Kobe, 650 Japan.

Lykes Bros. Steamship Co., Inc., Lykes Center, 300 Poydras St., New Orleans, La. 70130.

Mitsui O.S.K. Lines, Ltd., 3-3, Akasaka 5-chome, Minato-ku, Tokyo, 107 Japan.

A. P. Moller-Maersk Line, Dampskibsselskabet af 1912 Aktieselskab Aktieselskabet Dampskibsselskabet Svendborg (as one party only), 8, Kongens Nytorv, Copenhagen K, Denmark.

Nippon Yusen Kaisha, 3-2, Marunouchi 2-chome, Chiyoda-ku, Tokyo, 100 Japan.

Sea-Land Service, Inc., Fleet and Corbin Sts., Elizabeth, N.J. 07207.

United States Lines, Inc., 1 Broadway, New York, N.Y. 10004.

Waterman Steamship Corp., 120 Wall St., New York, N.Y. 10005.

Yamashita-Shinnihon Steamship Co., Ltd., Palace-Side Bldg., 1-1, Hitotsubashi 1-chome, Chiyoda-ku, Tokyo, 100 Japan.

Zim Container Service F.E. (a division of Zim Israel Navigation Co., Ltd.) 207/209 Hameginim Ave., Haifa, Israel.

RATE COMPARISONS BETWEEN FAR EAST CONFERENCE (U.S. ATLANTIC AND GULF COAST PORTS) AND JAPAN-ATLANTIC AND GULF CONFERENCE (JAPANESE PORTS)

1. Rates listed are quoted as of April 25, 1973.
2. Rate quotations are subject to a currency adjustment charge of 8.5 percent in the Far East Conference and 10 percent in the Japan-Atlantic and Gulf Freight Conference.
3. Far East Conference rates are subject to general increase of 10 percent effective June 1, 1973, thereby further widening the rate disparities listed herein.
4. Key to symbols:
 $w=2,000$ pounds.
 $m=40$ cubic feet.
 $w/m=40$ cubic feet or 2,000 pounds whichever produces the greater revenue.
 $lt=2,240$ pounds.
 $lt/m=40$ cubic feet or 2,240 pounds whichever produces the greater revenue.

APPENDIX B

Far East Freight Conference			Japan Atlantic and Gulf Freight Conference		
Outbound			Inbound		
Commodity description	Item	Rate	Percent of disparity	Rate	Item
Abrasives.....	10	77.50 w/m.....	41	55.00 w/m.....	2740.
Abrasive paper.....	066	101.25 w/m.....	87	51.25 w/m.....	5930.
Additives, nonhazardous n.o.s.....	090	72.25 w/m.....	43	63.25 w/m.....	2520.
Agriculture implements and parts.....	112	82.00 w/m.....	15	62.75 w/m.....	5330.
Alcohols.....	140	93.25 w/m.....	00	72.25 w/m.....	5330.
Aluminum bars, rods.....	160	58.50 w/m.....	51	54.25 w/m.....	2520.
Automobiles freight and passenger.....	242	60.50 w/m.....	20	63.25 w/m.....	5330.
Automobile parts and accessories.....	244	60.50 w/m.....	49	62.75 w/m.....	5330.
Athletic equipment viz golf clubs and bags.....	236	92.00 w/m.....	29	72.25 w/m.....	6020.
Bandages.....	280	82.50 w/m.....	12	62.00 w/m.....	5230.
Batteries, dry.....	307	109.50 w/m.....	35	44.75 w/m.....	5230.
Beverages, concentrated.....	343	97.25 w/m.....	34	45.25 w/m.....	5320 Panel group.
Flavoring extract.....	343	97.25 w/m.....	-10	67.25 w/m.....	5320.
Bolts and nuts.....	1353	56.00 w/m 2240# cft.	70	61.25 w/m.....	9999 Cargo n.o.s.
Boilers, domestic heating.....	384	63.75 w/m.....	13	81.25 w/m.....	3010.
Books and magazines.....	404	71.25 w/m.....	63	61.50 w/m.....	9999 General cargo.
Books (childrens).....	404	71.25 w/m.....	23	78.75 w/m.....	1605.
Brick, Fire.....	442	62.25 w/m.....	8	105.75 w/m.....	7200.
Cameras.....	2161	90.25 w/m.....	11	60.25 w/m.....	4330.
Candy and confectionery.....	486	94.00 w/m.....	23	57.75 w/m.....	5760.
Carbon, activated, in drums.....	508	80.25 w/m.....	-19	88.25 w/m.....	6020.
Carbon, activated, other than drums, viz paper bags (stowage factor 29).....	508	100.50 w 2000# up to 80 cft.	31	54.25 w/m.....	2780.
Carpeting.....	540	65.25 w/m under \$2 yd. to 70.50 w/m over \$2 yd.	9	83.00 w/m.....	5600.
Chemicals, Non Hazardous n.o.s.....	586	91.25 w/m.....	-18	109.75 w/m.....	1430.
Cooking and kitchen utensils.....	688	61.25 w/m.....	71	55.00 w/m.....	2520.
Copper, cable, rods, sheets.....	700	85.25 w/m.....	28	62.75 w/m.....	6510.
Fertilizer packed.....	1000	44.10 w/m.....	28	62.75 w/m.....	7010.
Furniture, new.....	1094	85.00 w/m.....	33	53.25 w/m.....	3120.
Glasses packing and tumblers.....	1170	63.50 w/m.....	81	47.00 w/m.....	4300.
Glass plate.....	1163	75.00 w/m.....	60	63.50 w/m.....	6510.
Glassware, common not cut.....	1174	75.25 w/m.....	-22	81.25 w/m.....	6310.
Heaters, air industrial.....	1236	97.25 w/m.....	22	61.50 w/m.....	6310.
Heaters, blowers.....	1236	97.25 w/m.....	-12	85.50 w/m.....	4400.
Ink.....	1282	92.50 w/m.....	51	63.25 w/m.....	5220 Machinery n.o.s.
Insecticides.....	2441	92.25 w/m.....	31	74.25 w/m.....	5320.
Insulators, electric.....	1293	93.75 w/m.....	60	57.75 w/m.....	2520 Chemical n.o.s.
Iron and steel, angles, bars and beams.....	1351	53.25 w/m.....	5	88.25 w/m.....	1210.
Iron and steel, billets bolts forgings.....	1353	56.00 w/m.....	47	62.75 w/m.....	7180 Open Min. 1000 w/m.
Iron and steel pipes and tubes 6" to 26".....	1368	57.50 w/m.....	23	72.25 w/m.....	7180 Open Min. 1000 w/m.
Lamps and parts.....	1450	98.00 w/m.....	87	50.25 w/m.....	7420 Open Min. 760 w/m.
			64	32.50 w/m.....	3660 Lamps electric.
			72	32.50 w/m.....	6300 Nonelectric.
			49	38.50 w/m.....	6300 Nonelectric.
			86	52.75 w/m.....	
			63	53.25 w/m.....	
			44	63.25 w/m.....	

See footnotes at end of table.

[illegible][illegible]

- i. Value not exceeding \$500 per revenue ton.
- ii. Value exceeding \$500 per revenue ton.
- iii. Value not exceeding \$500 per revenue ton.
- iv. Value exceeding \$500 per revenue ton.
- v. Value not exceeding \$500 per revenue ton.
- vi. Value exceeding \$500 but not exceeding \$500 per revenue ton.
- vii. Value not exceeding \$500 per revenue ton.
- viii. Value exceeding \$500 per revenue ton.
- ix. Value not exceeding \$1,200 per revenue ton.
- x. Value exceeds \$1,200 per revenue ton.
- xi. Value not exceeding \$500 per revenue ton.
- xii. Value exceeding \$500 but not exceeding \$500 per revenue ton.
- xiii. Value exceeding \$500 per revenue ton.
- xiv. Value exceeding \$500 per revenue ton.
- xv. Value not exceeding \$1,600 per revenue ton.
- xvi. Value exceeding \$1,600 per revenue ton.

NOTICES

DEPARTMENT OF THE INTERIOR

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

By notice in the FEDERAL REGISTER of February 28, 1973, part II, there was published a list of the properties included in the National Register of Historic Places. This list has been amended by a notice in the FEDERAL REGISTER of March 6 (pp. 6084-6086), April 10 (pp. 9095-9097), and May 1 (pp. 10745-10748). Further notice is given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470.

The following properties have been demolished and removed from the National Register:

Connecticut

New Haven County

New Haven, *First Telephone Exchange*, 741 Chapel Street.

Michigan

Alger County

Grand Marais, *Hill's Store*, Grand Marais Avenue.

The following property has been removed from the National Register:

Connecticut

Litchfield County

Washington, *Kirby Brook Site*, *The Tunnel* and *Curtis Road*.

The following property has been moved:

Minnesota

Scott County

Shakopee, *Atwater, Isaac, House*, Shakopee Historic District, Memorial Park (previously in Hennepin County).

The following are corrections to previous listings in the FEDERAL REGISTER:

California

Monterey County

Monterey, *Stevenson House* (*Monterey State Historic Park*), Houston Street between Pearl and Webster.

Placer County

Roseville vicinity, *Strap Ravine Nisena Maidu Indian Site*, north of Roseville, 1 mile east of intersection of Douglas Boulevard and Highway 80.

San Luis Obispo County

San Simeon vicinity, *Hearst San Simeon State Historical Monument*, about 3 miles northeast of San Simeon.

Kansas

Shawnee County

Topeka vicinity, *Pottawatomie Baptist Mission Site*, west of Topeka.

Massachusetts

Suffolk County

Boston, **Beacon Hill Historic District*, bounded roughly by Beacon Street on the south, Embankment Road on the west, Cambridge Street on the north, and Hancock and Bowdoin Streets on the east.

New York

Montgomery County

Fort Johnson Village, **Fort Johnson*, junction of New York 5 and 67.

Ohio

Wood and Wyandot Counties were listed erroneously under Oklahoma in the February 28, 1973, issue of the FEDERAL REGISTER.

The following properties have been added to the National Register since May 1, 1973:

Alabama

Bibb County

Brierfield, *Montebrier*.

Calhoun County (also in Talladega County)

Coldwater, *Coldwater Creek Covered Bridge*, spans Coldwater Creek 0.5 mile from I-20.

Hale County

Greensboro, *Magnolia Grove*, west end of Main Street.

Greensboro vicinity, *Tanglewood (Page Harris House)*, about 11 miles north of Greensboro off Alabama 23.

Madison County

Normal, *Domestic Science Building*, Alabama A. and M. University campus.

Mobile County

Bucks vicinity, *Ellicott Stone*, about 1 mile south of Bucks off U.S. 43.

Montgomery County

Montgomery, *Powder Magazine*, end of Eugene Street.

Talladega County

Coldwater Creek Covered Bridge (See Calhoun County).

American Samoa

Western District, *Aasu*, at Massacre Bay.

Arkansas

Baxter County

Norfolk, *Wolf, Jacob, House*, on Arkansas 5, west of fork of the White and North Fork Rivers.

Craighead County

Jonesboro, *Frierson House*, 1112 South Main Street.

Pulaski County

Little Rock, *Trapnall Hall*, 423 East Capitol Avenue.

Randolph County

Pocahontas, *Old Randolph County Courthouse*, Broadway and Vance.

California

Contra Costa County

Pinole, *Fernandez, Bernardo, House*, 100 Tennant Avenue.

El Dorado County

Homewood vicinity, *Sugar Pine Point State Park (Phipps-Hellman-Ehrman Estate)*, 3 miles south of Homewood on California 89.

Nevada County

Nevada City, *Marsh, Martin Luther, House*, 254 Boulder Street.
North Bloomfield, *Malakoff Diggins-North Bloomfield Historic District*, Graniteville Star Route.

Sacramento County

Sacramento, *California State Capitol*, between 10th and 16th Streets and L and N Streets.

San Bernardino County

Yermo vicinity, *Calico Mountains Archaeological District*, about 4.5 miles northeast of Yermo.

San Mateo County

Redwood City, *Lathrop House*, 627 Hamilton Street.

Colorado

Denver County

Denver, *Tivoli Brewery Co.*, 1320-1348 10th Street.

Douglas County

Sedalla vicinity, *The Church of St. Philip-in-the-Field and Bear Canyon Cemetery*, 6 miles south of Sedalla on Colorado 105.

Pitkin County

Ghost Town, *Independence and Independence Mill Site*, on Colorado 82.

Delaware

Kent County

Camden, *Camden Friends Meetinghouse*, Commerce Street.

Frederica vicinity, *Barratt Hall*, south of Frederica off Delaware 372.

Frederica vicinity, *Mordington*, south of Frederica on Canterbury Road.

Lelapsic, *Ruth Mansion House*, Main Street.
Lelapsic vicinity, *Wheel of Fortune*, south of Lelapsic off Delaware 9.

Smyrna vicinity, *Bannister Hall and the Baynard House*, south of Smyrna off Delaware 300.

Smyrna vicinity, *Ivy Dale Farm*, south of Smyrna off Delaware 9.

Woodland Beach vicinity, *Sutton, Thomas, House*, Delaware 79, Woodland Beach Wildlife Area.

New Castle County

Hockessin vicinity, *Coffee Run Mission Site*, southeast of Hockessin off Delaware 48.

Kirkwood vicinity, *McCoy House*, 1.5 miles east of Kirkwood at Kirkwood and McCoy Roads.

Middletown, *Greenlawn*, North Broad Street.

Middletown vicinity, *Cochran Grange*, west of Middletown on Delaware 4.

Middletown vicinity, *Hedgclawn*, 1.2 miles west of Middletown on Delaware 4.

Middletown vicinity, *Naudain, Arnold S., House*, south of Middletown off Delaware 71.

New Castle, *Glebe House*, Delaware 9.

New Castle, *Lesley-Travers Mansion*, 112 West Sixth Street.

New Castle, **Old Courthouse (Old Colony and State House)*, Delaware Street between Second and Third Streets.

Newark vicinity, *Cooch's Bridge Historic District*, north of Newark off Delaware 890.

Newark vicinity, *Mill Creek Friends Meetinghouse*, 6 miles north of Newark on Landonburg Road.

Newport, *Red Clay Creek Presbyterian Church*, corner of Mill Creek and McKennan's Church Roads.

Odessa vicinity, *Shalloross, Sereck, House*, west of Odessa off U.S. 13.

Port Penn vicinity, *Augustine Beach Hotel*, south of Port Penn on Delaware 9.

St. Georges, *Sutton House*, Broad and Delaware Streets.
 Wilmington, *McLane, Lquis, House*, 606 Market Street.
 Wooddale, *Wooddale Bridge*, over Red Clay Creek off Delaware 48.

Sussex County

Milton, *Draper-Adkins House*, 204 Federal Street.

District of Columbia

Washington

Canadian Embassy, 1746 Massachusetts Avenue NW.
Cosmos Club, 2121 Massachusetts Avenue NW.
Evermay, 1623 28th Street NW.
Franklin School, 13th and K Streets NW.
Holt House, Adams Mill Road, in National Zoological Park.
**Hughes, Charles Evans, House*, 2223 E Street NW.
McCormick Apartments, 1785 Massachusetts Avenue NW.
**Memorial Continental Hall*, 17th Street, between C and D Streets NW.
**National War College*, P Street, between Third and Fourth Streets SW., Fort Leslie J. McNair.
National Zoological Park, 3000 block of Connecticut Avenue NW.
Old Post Office and Clock Tower, Pennsylvania Avenue and 12th Street NW.
St. Mary's Episcopal Church, 730 23d Street NW.
U.S. National Arboretum, 24th and R Streets NE.
**Volta Bureau*, 3414 Volta Place NW.

Florida

Alachua County

Rochelle, *Rochelle School*, off Florida 234.

Dade County

Coral Gables, *Merrick Manor*, 907 Coral Way.
 Miami (Coconut Grove), *Munroe, Ralph M., House*, 3485 Main Highway.

Jefferson County

Monticello vicinity, *Lyndhurst Plantation*, 15 miles northeast of Monticello, off Ashville Road.

Monroe County

Key West, *Gato Eduardo H., House*, 1209 Virginia Street.
 Key West vicinity, *Sand Key Lighthouse*, 7 miles southwest of Key West on Sand Key.

Georgia

Cobb County

Marietta vicinity, *Sope Creek Ruins*, east of Marietta on Paper Mill Road.

De Kalb County

Atlanta, *Callanwolde*, 980 Briarcliff Road NE.

Muscogee County

Columbus, *Swift-Kyle House*, 303 12th Street.

Richmond County

Augusta, *Academy of Richmond County*, 540 Telfair Street.
 Augusta, *Brahe House*, 456 Telfair Street.
 Augusta, *St. Paul's Episcopal Church*, Sixth and Reynolds Streets.

Hawaii

Honolulu County

Honolulu, *Walker, H. Alexander, Residence*, 2616 Pal Highway.
 Wahiawa vicinity, *Kukaniloko Birthstones*, northwest of Wahiawa, off Hawaii 80.
 Waikane vicinity, *Waikane Tara Flats*, 1 mile northwest of Waikane in Upper Waikane Valley.

Illinois

Clinton County

Carlyle vicinity, *Dean, General, Suspension Bridge*, east of Carlyle across the Kaskaskia River.

Cook County

Chicago, *Kehilath Anshe Ma'ariv Synagogue (Pilgrim Baptist Church)*, 3301 South Indiana Avenue.

La Salle County

Ottawa, *Washington Park Historic District*, bounded by Jackson, La Salle, Lafayette, and Columbus Streets.

Logan County

Lincoln, *University Hall*, 300 Keokuk Street.

Randolph County

Prairie du Rocher, *Creole House*, Market Street.

Indiana

Dearborn County

Aurora vicinity, *Veraestau*, about 1 mile south of Aurora on Indiana 56.

Decatur County

Greensburg, *Decatur County Courthouse*, Courthouse Square.

Marion County

Indianapolis, *Ayres, L. S., Annex Warehouse (14-22 Elliott's Block)*, Maryland Street.
 Indianapolis, *Benton House*, 312 South Downey Avenue.

Vigo County

Terre Haute, *Condit House*, 629 Mulberry Street, Indiana State University campus.
 Terre Haute, *Sage-Robinson-Nagel House*, 1411 South Sixth Street.

Iowa

Dickinson County

Arnolds Park, *Spirit Lake Massacre Log Cabin*, in Arnolds Park, west of Estherville on U.S. 71.

Van Buren County

Keosauqua, *Hotel Manning*, River Street and Van Buren.

Webster County

Fort Dodge, *Vincent House*, 824 Third Avenue South.

Kansas

Butler County

Augusta, *James, C. N., Cabin (Augusta Historical Museum)*, 305 State Street.

Doniphan County

White Cloud, *White Cloud School*, southwest corner of Fifth and Main Streets.

Ellis County

Hays, *First Presbyterian Church*, 100 West Seventh Street.

Jefferson County

Oskaloosa, *Union Block*, southwest corner of Delaware and Jefferson.

Leavenworth County

Fort Leavenworth, *Quarry Creek Archeological Site (14LV401)*.

Marion County

Hillsboro, *Pioneer Adobe House (Peter Loewen Adobe House)*, U.S. 56 and south Ash Street.

Marshall County

Marysville, *Marysville Pony Express Barn*, 108 South Eighth Street.

Saline County

Sallina, *Schwartz, A. J., House*, 636 East Iron Street.

Sedgwick County

Wichita, *Campbell, B. H., House*, 1155 North River Boulevard.
 Wichita, *Rock Island Depot*, 729 East Douglas Street.

Kentucky

Bourbon County

Paris, *Duncan Tavern*, 323 High Street (U.S. 68).
 Paris, *Paris Railroad Depot*, between 10th Street and Winchester Pike.
 Paris vicinity, *The Grange*, 4 miles north of Paris on U.S. 68.

Boyle County

Danville, *Boyle County Courthouse-Jail Complex*, northeast corner of Main and Fourth Streets.

Franklin County

Frankfort, *Jackson Hall*, East Main Street (U.S. 60).
 Frankfort, *Kentucky State Arsenal*, Main Street and Capital Avenue (Arsenal Hill).
 Frankfort, *Kentucky State Capitol Building*, terminus of Capital Avenue.

Jefferson County

Louisville, *Ridgeway*, 4095 Massie Avenue.

Lincoln County

Crab Orchard vicinity, *Whitley, William, House State Shrine*, 2 miles west of Crab Orchard on U.S. 150.

Madison County

Big Hill vicinity, *Merritt Jones Tavern*, 1 mile south of Big Hill on U.S. 421.

Scott County

Georgetown, *Branham House*, 208 South Broadway.
 Georgetown, *Cantrill House*, 324 East Jackson Street.
 Georgetown, *Royal Spring Park*, west of Water Street and Broadway, between Clinton and Jefferson.
 Georgetown, *Shawalter House (McHatton House)*, 316 North Hamilton Street.
 Georgetown, *Shropshire House*, 355 East Main Street.
 Georgetown vicinity, *Allenhurst*, west of Georgetown on Cane Run Pike south of U.S. 460.
 Georgetown vicinity, *Osburn House*, 4 miles north of Georgetown on U.S. 25.
 Georgetown vicinity, *St. Francis Mission at White Sulphur*, 7 miles west of Georgetown on U.S. 460.
 Georgetown vicinity, *Ward Hall*, about 1.5 miles west of Georgetown on U.S. 460.

Wayne County

Mill Springs, *Mill Springs Mill*, off Kentucky 90.

Louisiana

Ascension Parish

Darrow vicinity, *The Hermitage*, 1.75 miles east of Darrow on Louisiana 942.

De Soto Parish

Mansfield vicinity, *Mansfield Battle Park*, 4 miles southeast of Mansfield on Louisiana 175.

Orleans Parish

New Orleans, *U.S. Mint, New Orleans Branch*, 420 Esplanade Avenue.

St. Martin Parish

St. Martinsville, *Acadian House*, Longfellow Evangeline State Park on Louisiana 31.

St. Mary Parish

Franklin vicinity, *Oaklawn Manor*, about 2 miles northeast of Franklin on Irish Bend Road.

West Feliciana Parish

Weyanoke vicinity, *Rosebank Plantation House*, southeast of Weyanoke off Louisiana 60.

Maine*Cumberland County*

Cape Elizabeth, *Portland Headlight*, Portland Head, off Shore Road.
Freeport, *Pettengill House and Farm*, south of Bow Street.
Portland, *Baxter, Percival P., House*, 61 Deering Street.
Portland, *Dow, General Neal, House*, 714 Congress Street.
Portland, *How, Daniel, House*, 23 Danforth Street.
Portland, *Mariner's Church*, 368-374 Fore Street.
Portland, *Portland Observatory*, 138 Congress Street.

Franklin County

North Jay, *Holmes-Crafts Homestead*, on Maine 4 at Old North Jay Road.

Hancock County

Ellsworth, *Ellsworth Congregational Church*, State Street.
Sedgwick, *First Baptist Church*, off Maine 172.

Kennebec County

Augusta, *Maine State House*, Capitol Street.

Lincoln County

New Castle, *St. Patrick's Catholic Church*, Academy Road.

Oxford County

Porter vicinity, *Porter Old Meetinghouse*, north of Porter off Maine 25.

Penobscot County

Bangor, *Jonas Cutting-Edward Kent House*, 48-50 Penobscot Street.
Bangor, *Morse & Co. Office Building*, Harlow Street.
Bangor-Brewer, *Site of Penobscot Expedition*, Penobscot River between Bangor and Brewer, at the mouth of the Kenduskeag Street.
Bangor, *St. John's Catholic Church*, York Street.

Piscataquis County

Chesuncook, *Chesuncook Village*, northwest shore, Chesuncook Lake.
Millinocket vicinity, *Ambajejus Boom House*, about 11 miles northwest of Millinocket on the Ambajejus Lake.

Somerset County

Madison vicinity, *Old Point and Sebastian Rale Monument*, south of Madison off Alternate U.S. 201.

Waldo County

Belfast, *Belfast National Bank*, Main and Beaver Streets.
Belfast, *Masonic Temple*, High Street (U.S. 1).
Belfast, *White, James P., House*, 1 Church Street.
Winterport, *Winterport Congregational Church*, Alternate U.S. 1.

Washington County

Machias, *Burnham Tavern*, Main Street.
East Machias, *East Machias Historic District*, High, Water, and Bridge Streets.

York County

Biddeford, *Biddeford City Hall*, 205 Main Street.

Kennebunk, *Lord Mansion (Clark Mansion)*, 20 Summer Street.

York, *Old Schoolhouse*, York Street (on the Village Green).

Maryland*Allegany County*

Cumberland, *Old Post Office*, southwest corner of Frederick and Liberty Streets.

Anne Arundel County

Davidsonville, *Mount Airy*, on Mount Airy Road off Maryland 424.
Lothian vicinity, *Burrages End*, Nutwell Road off Maryland 2.

Baltimore County

Brooklandville, *Rockland Historic District*, both sides of Falls Road (Maryland 25) at intersection of Old Court Road (Maryland 133).

Calvert County

Cove Point, *Cove Point Lighthouse*, off Maryland 497.
Drum Point, *Drum Point Lighthouse*, at the confluence of the Patuxent River and Chesapeake Bay.

Cecil County

Earleville, *Bohemia Farm*, 1 mile south of the Bohemia River off U.S. 213.

Frederick County

Point of Rocks, *Point of Rocks Railroad Station*, south side of U.S. 15, north side of B. & O. tracks.

Harford County

Emmorton vicinity, *St. Mary's Church*, south of Emmorton on Maryland 24.

Howard County

Daniels, *Daniels Mill*, Alberton Road.

Kent County

Fairlee vicinity, *Fairlee Manor Camp House*, 1.5 miles northwest of Fairlee, off Maryland 445.

Montgomery County

Seneca, *Seneca Quarry*, Tschiffeley Mill Road.
Silver Spring, *Milimar*, 410 Randolph Road.

Prince Georges County

Laurel, *Laurel Railroad Station*, East Main Street.
Riverdale, *Riverdale (Calvert Mansion)*, Riverdale Road between 18th and Taylor Streets.

Queen Annes County

Centreville vicinity, *Readbourne*, about 5.4 miles northwest of Centreville.

Washington County

Williamsport vicinity, *Rose Hill*, 0.5 mile south of Williamsport on Maryland 63.

Massachusetts*Barnstable County*

Chatham, **Brandeis, Louis, House*, Neck Lane.

Berkshire County

Florida and Savoy vicinity, *Mohawk Trail*, along the bank of the Cold River (also in Franklin County).
Lenox, *Lenox Library*, 18 Main Street.

Essex County

Beverly, **Holmes, Oliver Wendell, House*, 868 Hall Street.
Boxford, *Boxford Village Historic District*, Middleton and Topsfield Roads and Main and Elm Streets.

Boxford vicinity, *Howe Village Historic District*, northeast of Boxford on Massachusetts 97.

Hamilton, *Hamilton Historic District*, Bay Road (Nos. 540-700 and 563-641).

Lawrence, *Mechanics Block Historic District*, 107-139 Garden Street, 6-38 Orchard Street.

Marblehead, **Glover, General John, House*, 11 Glover Street.

Salem, *City Hall*, 93 Washington Street.

Wenham, *Clafin-Richards House*, 132 Main Street.

Wenham, *Wenham Historic District*, both sides of Main Street from Beverly city line to Hamilton city line.

Franklin County

Charlemont vicinity, *Mohawk Trail* (see Berkshire County).

Hampden County

Holyoke, *Wistariahurst*, 238 Cabot Street.

Middlesex County

Cambridge, *Cambridge Common Historic District*, 0-18 Garden Street; 1-13 Waterhouse Street; 1448, 1511-1563 Massachusetts Avenue; Cambridge and Peabody Streets.

Cambridge, *Fort Washington*, 95 Waverly Street.

Sudbury, *Wayside Inn Historic District*, Old Boston Post Road.

Norfolk County

Dedham, **Norfolk County Courthouse*, 650 High Street.

Plymouth County

Hingham, **Lincoln, General Benjamin, House*, 181 North Street.

Suffolk County

Boston, *Blackstone Block*, bounded by Union, Hanover, Blackstone, and North Streets.
Boston, *Cyclorama Building*, 543-547 Tremont Street.
Boston, *Ellot, John, Square District*, John Ellot Square.
Boston, *Old Corner Bookstore*, northwest corner of Washington and School Streets.
Boston, *Roxbury High Fort*, Beech Glen Street and Fort Avenue.

Worcester County

Rutland, **Putnam, General Rufus, House*, 344 Main Street.
West Boylston, *Old Stone Church*, off Massachusetts 140.

Michigan*Calhoun County*

Athens vicinity, *Pine Creek Potawatomi Reservation*, about 1 mile west of Athens.

Jackson County

Waterloo Township, *Siebold Farm/Ruchlo (Realy) Farm (Waterloo Farm Museum)*, 9998 Waterloo Munith Road.

Marquette County

Lake Superior, *Stannard Rock Lighthouse*, off Keweenaw Peninsula.

Missaukee County

Aetna Earthworks, Central Missaukee County.

Ottawa County

Spoonville Site, northwest Ottawa County.

Presque Isle County

Presque Isle Township, *Old Presque Isle Lighthouse*, Presque Isle Harbor.

St. Joseph County

Mendon, *Marantette House*, Simpson Road.

Minnesota**Aitkin County**

McGregor vicinity, *Savanna Portage*, Savanna Portage State Park.

Fillmore County

Preston vicinity, *Forestville Townsite*, about 9 miles southwest of Preston in Forestville State Park.

Goodhue County

Kenyon vicinity, *Gronvold, Dr. Just Christian, Estate*, northeast of Kenyon on County Route 8.

Winona County

Homer, *Bunnell, Willard, House*, U.S. 14.

Mississippi**Adams County**

Natchez, *Monmouth*, East Franklin Street and Melrose Avenue.

Harrison County

Biloxi, *Margaret Emilie (schooner)*, 1036 Fred Halse Boulevard.

Noxubee County

Macon vicinity, *Dancing Rabbit Creek Treaty Site*, 13 miles southwest of Macon.

Tishomingo County

Iuka, *Old Tishomingo County Courthouse*, northeast corner of Quitman and Liberty Streets.

Warren County

Vicksburg vicinity, *Chickasaw Bayou Battlefield*, north of Vicksburg on U.S. 61.

Yazoo County

Vaughan vicinity, *Casey Jones Wreck Site*, 1 mile north of Vaughan.

Missouri**Cole County**

Jefferson City, *Cole County Courthouse and Jail-Sheriff's House*, east corner of Monroe and East High Streets.

Lafayette County

Lexington vicinity, *Linwood Lawn*, southeast of Lexington off U.S. 24.

Marion County

Hannibal, *Osterhout Mound Park* (23 MAS), Wauneta Place.

Mississippi County

Charleston vicinity, *Swank, Jacob, House*, west of Charleston off U.S. 60.

St. Charles County

Defiance, *Boone, Nathan, House*, Highway F. Defiance vicinity, *Hays, Daniel Boone, House (Hays Farm)*, west of Defiance off Highway F.

St. Louis County

Chesterfield, *Old Stone Church*, Conway Road at White Road.

Montana**Deer Lodge County**

Anaconda, *Daly, Marcus, Hotel*, corner of Park Avenue and South Main.

Nebraska**Knox County**

Verdel vicinity, *Ponca Fort Site*, about 1 mile east of Verdel.

Morrill County

Bridgeport vicinity, *Courthouse and Jail House Rocks*, 5 miles south of Bridgeport.

Dalton vicinity, *Mud Springs Pony Express Station Site* (25MO72), about 8 miles northwest of Dalton.

Nevada**Eureka County**

Eureka, *Eureka Historic District*.

New Hampshire**Cheshire County**

Keene, *Cooke, Noah, House*, 136 West Street. Keene, *Wyman Tavern*, 339 Main Street.

Hillsborough County

Peterborough, *Peterborough Unitarian Church*, Main and Summer Streets.

Rockingham County

Portsmouth, *Beck, Samuel, House*, 107 Deer Street.

Portsmouth, *Hart, Phoebe, House*, 184 Deering Street.

Portsmouth, **Jones, John Paul, House*, Middle and State Streets.

Strafford County

Durham, **Sullivan, General John, House*, 23 Newmarket Road.

Sullivan County

Claremont, *Claremont City Hall (Claremont Opera House)*, Tremont Square.

New Jersey**Bergen County**

Mahway, *Hopper-Van Horn House*, 398 Ramapo Valley Road.

Gloucester County

Oliphant's Mill, *Moravian Church*, Swedesboro-Sharpstown Road.

Mercer County

Lawrence, *Anderson-Gapner House*, 700 Trumbull Avenue.

Monmouth County

New Shrewsbury, *Old Mill at Tinton Falls*, 1205 Sycamore Avenue.

Morris County

Morristown, *Acorn Hall*, 68 Morris Avenue. Morristown, *Condict's, Dr. Lewis, House*, 51 South Street.

Ocean County

Manahawkin, *Manahawkin Baptist Church*, North Main Street (U.S. 9).

Passaic County

Wayne, *Schuyler-Colfax House*, 2343 Paterson Hamburg Turnpike.

Union County

Elizabeth, **Liberty Hall (Governor William Livingston House)*, Morris and North Avenues.

Warren County

Phillipsburg, *Roseberry, John, Homestead*, 540 Warren Street.

New Mexico**Colfax County**

Cimmaron, *Cimmaron Historic District*.

Lincoln County

Capitan vicinity, *Fort Stanton*, 7 miles southeast of Capitan on New Mexico 214.

Sandoval County

Bernalillo vicinity, *Zia Pueblo*, 18 miles west of Bernalillo on New Mexico 44.

Taos County

Taos, *Martinez, Severino, House*, 2 miles from Taos Plaza, on the Lower Ranchitos Road.

New York**Albany County**

Bethlehem vicinity, *Bethlehem House (Rensselaer Nicoll House)*, east of Bethlehem off New York 144.

Cattaraugus County

Ellicottville, *Ellicottville Town Hall*, Village Square, northwest corner of Washington and Jefferson Streets.

Chemung County

Elmira vicinity, **Newtown Battlefield*, 6 miles southeast of Elmira on New York 17.

Columbia County

Ancram, *Simons General Store*, Ancram Square.

Spencertown, *Spencertown Academy*, off New York 203.

Stuyvesant, *Van Alen, Johannis L., Farm*, School House Road.

Delaware County

Meredith, *MacDonald Farm*, Elk Creek Road at Monroe Road.

Dutchess County

Fishkill, *Fishkill Village District*.

Erie County

Buffalo, *Prudential Building*, Church and Pearl Streets.

Greene County

Athens vicinity, *West Athens Hill Site*, 2.3 miles west of Athens.

Jefferson County

Sackett Harbor, *Camp, Elisha, House*, 310 General Smith Drive.

Monroe County

Rochester, *Powers Building*, northwest corner of West Main and State Streets.

Montgomery County

St. Johnsville vicinity, **Fort Klock*, 2 miles east of St. Johnsville on New York 5.

New York County

New York, *Jumel Terrace Historic District*, West 160th and 162d Streets between St. Nicholas and Edgecombe Avenues.

New York, *75 Murray Street Building*, 75 Murray Street.

New York, **Smith, Alfred E., House*, 25 Oliver Street.

Oneida County

Boonville, *Fire Lock Combine and Locks 37 and 38, Black River Canal*, Rome-Boonville Gorge Road (New York 46).

Clinton, **Root, Elihu, House*, 101 College Hill Road.

Onondaga County

Onondaga, *Hutchinson, General Orrin, House*, 4311 West Seneca Turnpike.

Syracuse, *Central New York Telephone & Telegraph Building*, 311 Montgomery Street.

Syracuse, *Grace Episcopal Church*, 819 Madison Street.

Orange County

Bear Mountain, **Fort Montgomery*, north of Bear Mountain Bridge on the Hudson River.

Osteo County

Gilbertsville, *Major's Inn and Gilbert Block*, both sides of Commercial Street near New York 51.

Putnam County

Cold Spring vicinity, *West Point Foundry*, New York 9D, south of intersection with New York 301.

NOTICES

Rennselaer County

Troy, *Hurt-Cluett Mansion*, 59 2d Street.

Rockland County

West Nyack, *Terneur-Hutton House*, 160 Sickelton Road.

Schenectady County

Schenectady, *Stockade Historic District*.

Suffolk County

Huntington, *Eatons Neck Light*, Eatons Neck Point at Huntington Bay and Long Island Sound, off New York 25A.

Ulster County

Rosendale vicinity, *Ferrine's Bridge*, over Wallkill River off U.S. 87.

Westchester County

New Rochelle, **Paine, Thomas, Cottage*, 20 Sicard Avenue.

*North Carolina**Brunswick County*

Smithfield Township, *Orton Plantation*, on Cape Fear River at junction of North Carolina 1530 and 1529.

Buncombe County

Asheville, *Grove Park Inn*, Macon Avenue.

Burke County

Morganton vicinity, *Swan Ponds*, about 4 miles west of Morganton off North Carolina 126.

Caswell County

Milton, *Milton State Bank, Main* (Broad) Street between Liberty Street and Lea's Alley.

Catawba County

Hickory, *Propst House*, Shuford Memorial Garden.

Hickory, *Shuford House*, 542 2d Street NE.

Craven County

New Bern, *Jones-Jarvis House*, 528 East Front Street.

New Bern, *Slover-Bradham House*, 201 Johnson Street.

Davie County

Mocksville, *Davie County Jail*, 20 South Main Street.

Durham County

Durham vicinity, *Fairintosh Plantation*, north of Durham off North Carolina 1004.

Edgecombe County

Tarboro, *Coats House*, 1503 St. Andrews Street.

Forsyth County

Winston-Salem, *Zevely House*, 734 Oak Street.

Gaston County

Belmont, *Belmont Abbey Cathedral*, on North Carolina 2093.

Halifax County

Enfield vicinity, *Shell Castle*, west of Enfield on North Carolina 481.

Halifax, *Eagle Tavern*, Main Street.

Mecklenburg County

Charlotte, *Victoria*, 1600 The Plaza.

Orange County

Hillsborough, *Heartsease*, 113 East Queen Street.

Scotland County

Wagram vicinity, *Richmond Temperance and Literary Society Hall*, about 1 mile southwest of Wagram on North Carolina 1405.

Surrey County

Dobson vicinity, *Franklin, Bernard, House*, northwest of Dobson on North Carolina 1442.

Union County

Waxhaw vicinity, *Pleasant Grove Camp Meeting Ground*, northeast of Waxhaw on North Carolina 1327.

Wake County

Raleigh, *Dorton, J. S., Arena*, North Carolina State Fairgrounds, West Hillsborough Street.

Raleigh, *Heck Houses*, 503 East Jones Street (Heck-Lee House), 511 East Jones Street (Heck-Wynne House), 218 North East Street (Heck-Pool House).

Warren County

Littleton, *Person's Ordinary*, North Carolina 1001.

Littleton vicinity, *Little Manor (Mosby Hall)*.

Watauga County

Valle Crucis vicinity, *Mast General Store*, south of Valle Crucis on North Carolina 1112.

*North Dakota**Grand Forks County*

Grand Forks, *Oxford House*, University of North Dakota campus.

*Ohio**Ashtabula County*

Windsor Mills vicinity, *Wiswell Road Covered Bridge*, southwest of Windsor Mills over Phelps Creek.

Butler County

Oxford, *Elliott and Stoddard Halls*, Miami University, Miami University campus.

Oxford vicinity, *DeWitt, Zachariah Price, Cabin*, east of Oxford off U.S. 73.

Clark County

Springfield, *Pennsylvania House*, 1311 West Main Street.

Clinton County

Wilmington, *College Hall*, east of College Street between Douglas Street and Fife Avenue on Wilmington College campus.

Columbiana County

West Point vicinity, *Morgan, John H., Surrender Site*, 3.1 miles west of West Point on Ohio 518.

Coshocton County

Coshocton, *Roscoe Village*.

Cuyahoga County

Cleveland, *Garfield Memorial*, 12316 Euclid Avenue in Lakeview Cemetery.

Mayfield Village, *Old Center School*, 784 S.O.M. Center Road.

Delaware County

Delaware, *Elliott Hall, Sturges Library, and Merrick Hall*, Ohio Wesleyan University campus.

Franklin County

Columbus, *Camp Chase Site*, 2900 Sullivant Avenue.

Columbus, *Ohio Theatre*, 39 East State Street. Columbus, *Old, Old Post Office*, 121 East State Street.

Worthington, *Johnson, Orange, House*, 956 High Street.

Greene County

Clifton vicinity, *Whiteman, Benjamin, House*, 0.4 mile east of Clifton on North River Road.

Hamilton County

Cincinnati, *Apostolic Bethlehem Temple Church*, 1205 Elm Street.

Cincinnati, *Goshorn, Sir Alfred T., House*, 3504 Clifton Avenue.

Cincinnati, *Morrison House*, 750 Ludlow Avenue.

Cincinnati, *Sacred Heart Academy*, 525 Lafayette.

Cincinnati, *Worth, Gorham A., House*, 2310 Auburncrest Avenue.

Jefferson County

Steubenville, *Federal Land Office*, at U.S. 22 and Ohio 7.

Lake County

Painesville, *Lutz's Tavern (Rider Tavern)*, 792 Mentor Avenue.

Painesville, *Mathews House*, 309 West Washington Street.

Lucas County

Maumee, *Maumee Sidecut*, north of the Maumee River and southwest of Ewing Island.

Montgomery County

Dayton, *Wright, Orville, Laboratory*, 15 North Broadway.

Muskingum County

New Concord, *Paul Hall*, Layton Drive, Muskingum College campus.

New Concord vicinity, *"S" Bridge II*, west of New Concord off U.S. 40.

Portage County

Aurora vicinity, *Kent, Zeno, House*, 2.5 miles southwest of Aurora on Aurora-Hudson Road.

Richland County

Lucas vicinity, *Malabar Farm*, southeast of Lucas on Pleasant Valley Road.

Ross County

Chillicothe, *Canal Warehouse*, northeast corner of East Main and North Mulberry Streets.

Chillicothe, *Oak Hill*, Dun Road.

Stark County

Massillon, *Five Oaks*, 210 Fourth Street NE.

Summit County

Akron, *Hower Mansion*, 60 Fir Hill.

Akron vicinity, *Goodyear Airdock*, south of Akron at the Akron Airport.

Bath, *Hale, Jonathan, Homestead*, 2686 Oak Hill Road.

Vinton, Wilkesville vicinity, *Ponn Humpback Covered Bridge*, 4 miles southwest of Wilkesville over Racoon Creek.

Washington County

Marietta, *Erwin Hall*, Fifth Street, Marietta College campus.

Marietta, *Wilcox-Mills House (President's House, Marietta College)*, 301 Fifth Street.

*Oklahoma**Cherokee County*

Tablequah, *Cherokee Female Seminary*, Northeastern State College campus.

Kay County

Ponca City, *Marland, E. W., Mansion*, Monument Road.

Ponca City vicinity, *101 Ranch*, about 6 miles southwest of Ponca City.

Washunga, *Kaw Indian Agency*, north of the Arkansas River.

Oklahoma County

Oklahoma City, *Harn House*, northeast 17th Street and Stiles.

Pawnee County

Pawnee, *Pawnee Indian Agency*, east edge of Pawnee.

Oregon**Marion County**

Salem, *Lee, Jason, House*, 260 12th Street SE.

Pennsylvania**Adams County**

Fairfield, *Fairfield Inn*, Main Street.

Allegheny County

Pittsburgh, *Rotunda of the Pennsylvania Railroad Station*, 1100 Liberty Avenue.

Blair County

Altoona, *Mishler Theatre*, 1208 12th Avenue. Williamsburg vicinity, *Etna Furnace*, North of Williamsburg.

Bucks County

Richboro, *Hampton Hill (Bennet-Search House)*, 1269 Second Street Pike.

Chester County

Birmingham vicinity, *Davis, Daniel, House and Barn*, Birmingham and Street Road (Pennsylvania 926).

Chester Springs vicinity, *Hall's Bridge*, about 3 miles north of Chester Springs at Sheeder Road and Birch Run.

Northbrook, *Derbydown Homestead*, at intersection of County Routes 15077 and 15080.

Tredyffrin, *Wetherby-Hampton-Snyder-Wilson-Erdman Log House*, 251 Irish Road.

Valley Forge, **von Steuben, General Frederick, Headquarters*, on Pennsylvania 23.

Valley Forge vicinity, *East, Nicholas, House*, west of Valley Forge on Kimberton Road.

Valley Forge vicinity, *Esherick, Wharton, Studio*, southwest of Valley Forge off Country Club Road.

Valley Forge vicinity, *Lightfoot Mill*, west of Valley Forge off Pennsylvania 401.

Cumberland County

Mechanicsburg vicinity, *Eberly, Johannes, House*, northeast of Mechanicsburg off U.S. 11.

Delaware County

Concordville, *Concordville Historic District*, intersection of Concord Road and U.S. 1.

Erie County

Erie, *Flagship Niagara*, State Street at Lake Erie.

Greene County

Waynesburg vicinity, *Greene Hills Farm*, 3.5 miles east of Waynesburg on Pennsylvania 21.

Lancaster County

Lancaster, *Soldiers and Sailors Monument*, Center Square, intersection of King and Queen Streets.

Lebanon County

Myerstown, *Meier, Isaac, Homestead*, 520 South College Street.

Newmanstown vicinity, *House of Miller at Milbach*, southwest of Newsmanstown.

Monroe County

Stroudsburg vicinity, *Quiet Valley Farm*, southwest of Stroudsburg off U.S. 209.

Montgomery County

Harleysville, *Klein Meetinghouse*, Maple Avenue.

Valley Forge, **Washington's Headquarters*, Valley Creek Road near junction of Pennsylvania 262 and 23.

Northumberland County

McEwensville vicinity, *Warrior Run Presbyterian Church*, north of McEwensville on Pennsylvania 147.

Philadelphia County

Philadelphia, *Clarkson-Watson House*, 5275-77 Germantown Avenue.

Rhode Island**Bristol County**

Bristol, *Bristol County Jail*, 48 Court Street.

Kent County

Warwick and Cranston, *Pautuxet Village Historic District* (also in Providence County).

Newport County

Newport, *Tillinghast, John, House*, 142 Mill Street.

Portsmouth, *Mott, Jacob, House*, West Main Road (Rhode Island 114).

Portsmouth vicinity, *Wreck Sites of H.M.S. Cerberus and H.M.S. Lark*, in Narragansett Bay adjacent to Aquinneck Island.

Providence County

Cranston, *Pautuxet Village Historic District* (see Kent County).

Johnston, *Brown Avenue Historic District*, Brown Avenue.

Providence, *Allen, Candace, House*, 12 Benevolent Street.

Providence, *Stimson Avenue Historic District*. Saylesville vicinity, *Hearthside (Stephen Hopkins Smith House)*, northwest of Saylesville on Breakneck Hill Road.

Slatersville, *Slatersville Historic District*. Woonsocket, *Woonsocket Opera House*, 37-41-45 North Main Street.

Washington County

Westerly, *Former Immaculate Conception Church*, 119 High Street.

North Kingstown (Wickford), *Palmer-Northrup House*, 7919 Post Road.

South Carolina**Anderson County**

Anderson, *Orr, Marshall, House*, 809 West Market Street.

Charleston County

Charleston, *Shaw Community Center*, 22 Mary Street.

Mt. Pleasant vicinity, *Snee Farm*, about 6 miles northeast of Mount Pleasant off U.S. 17.

Colleton County

Williams vicinity, *Williams, Tom, House*, 0.25 mile west of Williams on North Street.

Georgetown County

Georgetown vicinity, *Ohicora Wood Plantation*, about 12 miles northeast of Georgetown on South Carolina 52.

Greenville County

Greenville, *Reedy River Falls Historic Park and Greenway*, both banks of the Reedy River from the falls to Church Street.

Orangeburg County

Branchville, *Southern Railway Passenger Depot*, 110 North Main Street.

Richland County

Columbia, *Simons Cottage*, 1403 Richland Street.

Spartanburg County

Spartanburg, *Cleveland Law Range*, 171 Magnolia Street.

Union County

Jonesville vicinity, *Means House*, 2 miles southwest of Jonesville on South Carolina 12.

Union, *Dawkins, Judge Thomas, House*, Dawkins Court (north of East Main Street).

South Dakota**Clay County**

Vermillion, *Old Main, Clark Street, University of South Dakota campus*.

Faulk County

Faulkton, *Pickler, Major John A., Homestead*, south edge of town.

Gregory County

Dixon vicinity, *Pocahontas Schoolhouse*, about 4.5 miles northeast of Dixon.

Tennessee**Bedford County**

Bell Buckle, *Webb School, Junior Room*, off Tennessee 82.

Carter County

Elizabethton, *Sabine Hill*, off Tennessee 67 at Watauga Point.

Davidson County

Nashville, *Stump, Frederick, House*, 4949 Buena Vista Pike.

Fentress County

Pall Mall, *York, Sergeant, Historic Area*.

Franklin County

Winchester, *Kries Blacksmith Shop*, 118 North Jefferson Street.

Giles County

Dellroce vicinity, *Wilson-Young House*, about 2 miles southwest of Dellroce off I-65. Wales, *Clifton Place*, Campbellsville Road.

Grainger County

Bean Station vicinity, *Tate Springs Springhouse*, about 3.5 miles east of Bean Station on U.S. 11W.

Blaine, *Shields' Station*, U.S. 11W.

Hamblen County

Morrisstown, *Hamblen County Courthouse*, 511 West Second North Street.

Russellville vicinity, *Bethesda Presbyterian Church*, about 1.5 miles southwest of Russellville, off U.S. 11E.

Hamilton County

Chattanooga, *Brabson House*, 407 East Fifth Street.

Chattanooga and Lookout Mountain, *Lookout Mountain Incline Railway*, from Tennessee 17 (St. Elmo) to Lookout Mountain.

Chattanooga, *Newton Chevrolet Building*, 329 Market Street.

Chattanooga, *Old Post Office*, East 11th and Lindsay Streets.

Chattanooga, *Tiroll Theater*, 709 Broad Street.

Chattanooga vicinity, *Williams Island*, northwest of Chattanooga in the Tennessee River.

Ooltewah vicinity, *Brown House*, about 10 miles northeast of Ooltewah on the Georgetown Pike.

Ooltewah vicinity, *Douglas, Hiram, House*, about 5 miles north of Ooltewah on Snow Hill Road.

Signal Mountain vicinity, *Topside*, about 3 miles northeast of Signal Mountain on Wilcon Avenue.

Hancock County

Sneedville, *Old Jail*, Jail Street.

NOTICES

Hawkins County

Surgoinville vicinity, *Stony Point*, northeast of Surgoinville on U.S. 11W.

Henry County

Paris, *Porter House*, 407 South Dunlap Street.

Humphreys County

Hurricane Mills vicinity, *Link Farm Site*, forks of the River Road.

Jefferson County

Jefferson City, *Glenmore*, off U.S. 11E.

White Pine vicinity, *Fairfax*, southeast of White Pine off U.S. 25E.

White Pine vicinity, *Franklin, Lawson D., House*, southeast of White Pine off U.S. 25E.

Johnson County

Laurel Bloomery, *Morrison Farm and Store*, Tennessee 91.

Mountain City, *Butler House*, 309 North Church Street.

Shouns, *Rhea House*, on U.S. 421.

Knox County

Knoxville, *Camp House*, 1306 Broadway NE. Knoxville, *Jackson Avenue Warehouse District*, Jackson Avenue.

Knoxville, *Knoxville County Courthouse*, Main Avenue and Gay Street.

Knoxville vicinity, *Statesview*, about 11 miles southwest of Knoxville on Peters Road, off U.S. 70.

Lauderdale County

Fort Pillow, *Fort Pillow*, Tennessee 87.

Loudon County

Loudon vicinity, *Lenoir, Albert, House*, west of Loudon on River Road (Tennessee 72).

Maury County

Columbia, *Athenaeum, The*, 808 Athenaeum Street.

Columbia, *Blythewood*, Trotwood and Hatcher Lane.

Polk County

Benton vicinity, *Ward, Nancy, Tomb*, 2 miles south of Benton on U.S. 411.

Sullivan County

Arcadia vicinity, *Fain Plantation*, east Bloomington off U.S. 11W.

Blountville, *Fain, Squire John, Barn*, Lone Oak Estates, Tennessee 126.

Blountville vicinity, *Erwin Farm*, west of Blountville off Tennessee 75.

Bluff City vicinity, *Alison, Jesse, House*, southwest of Bluff City off U.S. 11E.

Kingsport, *Church Circle District*.

Kingsport, *Clinchfield Railroad Station*, 101 East Main Street.

Kingsport, *Johnson, J. Fred, House*, 1322 Watauga Avenue.

Kingsport, *Mount Ida*, 1010-1012 Sevier Terrace Drive.

Kingsport vicinity, *Pearson Brick House*, east of Kingsport on Shipley Ferry Road.

Kingsport vicinity, *Roseland*, south of Kingsport on Shipp Street.

Kingsport vicinity, *Spring Place*, northwest of Kingsport on West Carter's Valley Road, west of U.S. 23.

Kingsport vicinity, *Wills-Dickey Stone House*, northwest of Kingsport on West Carter's Valley Road, west of U.S. 23.

Kingsport vicinity, *Yancey's Tavern*, east of Kingsport on Tennessee 126.

Piney Flats vicinity, *Alison, Finlay, House*, west of Piney Flats on Route 2.

Van Buren County

Bone Cave vicinity, *Big Bone Cave*.

Texas

Coke County

Bronte vicinity, *Fort Chadbourn* (41CK129), 12 miles north of Bronte.

Hays County

San Marcos, *Cock House*, 402 East Hopkins Street.

Morrison County

Marshall, *Old Pierce House (Magnolia Hall)*, 303 North Columbus.

Pecos County

Fort Stockton, *Fort Stockton Historic District*.

Travis County

Austin, *Doyle House*, 310 East 14th Street.

Austin, *Goodman Building*, 202 West 13th Street.

Austin, *Hancock, John, House*, 1306 Colorado.

Austin, *Hirshfeld, Henry, House and Cottage*, 303 and 305 West Ninth Street.

Austin, *Houghton, John H., House*, 307 West 12th Street.

Austin, *St. Mary's Cathedral*, 201-207 10th Street.

Val Verde County

Comstock vicinity, *West of Pecos Railroad Camps District*, about 15 miles west of Comstock off U.S. 90.

Utah

Carbon County

Price, *Hellenic Orthodox Church of the Assumption*, 61 South Second East Street.

Weber County

Ogden, *Episcopal Church of the Good Shepherd*, 2374 Grant Avenue.

Ogden, *Ogden Union Depot*, 25th Street and Wall Avenue.

Vermont

Addison County

Middlebury, *Stone Mill*, Mill Street.

Vergennes, *Strong, General Samuel, House*, 64 West Main Street.

Weybridge, *University of Vermont Morgan Horse Farm*, off U.S. 7 on Morgan Horse Farm Road.

Bennington County

Bennington, *First Congregational Church of Bennington*, Monument Avenue.

North Bennington, *North Bennington Depot*, Main Street.

Chittenden County

Burlington, *Chittenden County Courthouse*, 180 Church Street.

Burlington, *Grassemount (Thaddeus Tuttle House)*, 411 Main Street (U.S. 2).

Windsor County

Cavendish, *Cavendish Universalist Church*, on Vermont 131.

Virginia

Albemarle County

Simeon vicinity, *Morven*, west of Simeon off Virginia 20.

Amelia County

Amelia vicinity, *Haw Branch*, north of Amelia off Virginia 667.

Arlington County

Arlington, **Fort Myer Historic District*.

Augusta County

Fishersville vicinity, *Tinkling Spring Presbyterian Church*, south of Fishersville on Virginia 608.

Bedford County

Forest vicinity, *Elk Hill*, northwest of Forest on Virginia 663.

Charlotte County

Charlotte Court House vicinity, *Greenfield*, east of Charlotte Court House on Virginia 656.

Saxe vicinity, *Roanoke Plantation*, west of Saxe off Virginia 746.

Clarke County

Millwood vicinity, *Old Chapel*, 3 miles north of Millwood off U.S. 340.

Danville (independent city), *Danville Historic District*.

Essex County

Tappahannock, *Tappahannock Historic District*.

Frederick County

Middletown, *St. Thomas, Episcopal Church*, intersection of Virginia 1102 and 1105.

Goochland County

Manakin vicinity, *Powell's Tavern*, on Virginia 650.

Greensville County

Emporia, *Klugel, H. T., Architectural Sheet Metal Work Building*, 135 East Atlantic Street.

King and Queen County

Shanghai vicinity, *Upper Church, Stratton Major Parish*, southeast of Shanghai on Virginia 14.

King George County

Port Conway, *Belle Grove*, on U.S. 301.

King William County

Sweet Hall vicinity, *St. John's Church*, north of Sweet Hall on Virginia 30.

Lexington (independent city), *Jackson, Stonewall, House*, 8 East Washington Street.

Louisa County

Gum Spring vicinity, *Providence Presbyterian Church*, northwest of Gum Spring off U.S. 250.

Lynchburg (independent city), *Old City Cemetery*, bounded roughly by Fourth, Monroe, and First Streets and the Southern Railroad on the west.

Middlesex County

Hartfield vicinity, *Lower Church*, west of Hartfield on Virginia 33.

Nansemond County

Chuckatuck vicinity, *St. John's Church*, east of Chuckatuck on Virginia 125.

Nelson County

Midway Mills, *Midway Mill*, on the James River at end of Virginia 743.

New Kent County

Tunstall vicinity, *Foster's Castle*, northeast of Tunstall off Virginia 608.

Page County

Stanley vicinity, *Fort Philip Long*, on Shenandoah River off Virginia 616.

Rappahannock County

Sperryville vicinity, *Montpelier*, south of Sperryville on Virginia 231.

Richmond (independent city), *Mayo Memorial Church House*, 110 West Franklin Street.

Roanoke County

Roanoke vicinity, *Deyerle, Benjamin, Place*, 3402 Grandin Road Extension SW.

Winchester (independent city), *Abram's Delight*, northeast corner of Parkview Street and Rouss Spring Road.

York County

Williamsburg vicinity, *Porto Bello*, on Queens Creek on Camp Peary Military Reservation.

Washington**Grays Harbor County**

Hoquiam, *Hoquiam's Castle* (Lytle, Robert, Mansion), 515 Chenault Avenue.

Jefferson County

Port Townsend, Bartlett, Frank, House, 314 Polk Street.
Port Townsend, *Jefferson County Court-house*, Jefferson and Cass Streets.

King County

Seattle, *King Street Station*, Third Street South and South King.
Seattle, *Virginia V*, 4250 21st Avenue West.

Kittitas County

Roslyn, *Northwestern Improvement Company Store*, First Street and Pennsylvania Avenue.

Lewis County

Claquato, *Claquato Church*, off Washington 12.

Snohomish County

Edmonds, *Carnegie, Andrew, Library*, 118 Fifth Avenue North.
Index, *Red Men Hall*, Index Avenue and Sixth Street.

Wahkiakum County

Cathlamet, *Pioneer Church*, Alley Street.

Yakima County

Yakima, *Capitol Theatre*, 19 South Third Street.

West Virginia**Berkeley County**

Hedgesville vicinity, *Snodgrass Tavern*, west of Hedgesville on West Virginia 3.

Jefferson County

Kearneysville, **Traveller's Rest*, on West Virginia 48.
Leetown, *Prato Rio*, on West Virginia 48.

Wisconsin**Dane County**

Madison, *Old Executive Mansion*, 130 East Gilman Street.
Shorewood Hills, *First Unitarian Society Meetinghouse*, 900 University Bay Drive.

Iowa County

Spring Green vicinity, *Shot Tower*, southeast of Spring Green in Tower Hill State Park.

Milwaukee County

Milwaukee, *Mackie Building*, 225 East Michigan Street.
Milwaukee, *Mitchell Building*, 207 East Michigan Street.

Oconto County

Oconto, *Scotfield, Governor Edward, House*, 610 Main Street.

Racine County

Racine, *Cooley, Eli R., House* (Kuehneman, William F., House), 1135 South Main Street.

Waukesha County

Menomonee Falls, *Miller-Davidson House*, on County Line Road, east of U.S. 41.

Wyoming**Crook County**

Sundance vicinity, *Inyan Kara Mountain*, in Black Hills National Forest.
Sundance vicinity, *Vore Buffalo Jump*.

Fremont County

Fort Washakie vicinity, *Shoshone-Episcopal Mission*, 3 miles southwest of Fort Washakie on Moccasin Lake Road.

Laramie County

Cheyenne, *Atlas Theatre*, 213 West 10th Street.

Park County

Cody, *Irma Hotel*, 1192 Sheridan Avenue.
Cody vicinity, *T E Ranch Headquarters*, 30 miles southwest of Cody on South Fork Road.

ROBERT M. UTLEY,
Director; Office of Archeology
and Historic Preservation.

[FR Doc.73-10760 Filed 6-4-73;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25199; Order 73-5-145]

ALLEGHENY AIRLINES, INC., ET AL.**Order Granting Stay**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of May, 1973. Application of Allegheny Airlines, Inc., for authority to suspend service temporarily at Terre Haute, Ind., docket 25199; agreement among Allegheny Airlines, Inc., Verco Air Service, Inc., and William C. Britt, agreement CAB 23518.

On April 17, 1973, the Board issued order 73-4-72, approving the Allegheny Commuter replacement program for Terre Haute, Ind.¹

Approval of the subject agreement was conditioned upon Allegheny preserving for Terre Haute travelers and shippers the same fare and rate levels under the Allegheny Commuter replacement service as would be available were Allegheny to continue its own service at Terre Haute.

On May 23, 1973, Allegheny petitioned the Board for a partial stay of order 73-4-72 in order to permit Allegheny to resolve what it characterizes as "substantial problems" with ordering paragraph 1(e) of the aforementioned order.² Allegheny alleges in its petition that condition 1(e) is new, not having been imposed in prior Allegheny Commuter situations, and that certain additional steps may be required in order to enable Allegheny to resolve unforeseen details.³

On consideration of Allegheny's petition, we have concluded that we should permit Allegheny reasonable additional time within which they may make appropriate arrangements to implement fully the terms of 1(e), supra. Our action in permitting Allegheny this additional

¹ The salient details of the agreement approved by order 73-4-72, supra, will not be repeated herein except as they relate to Allegheny's request for a stay.

² Paragraph 1(e) reads as follows:

1.(e) Allegheny shall maintain in effect for the Terre Haute service operated under the agreement all joint-fare tariffs now in effect or hereafter required to be filed by the Board in the Domestic Passenger-fare investigation, docket 21860.

³ As an example of the arrangements required to be made, Allegheny points out that it believes it necessary to obtain the agreement of the Airline Tariff Publishers (the agency which publishes the so-called certificated industry official tariffs) because Allegheny believes such an agreement is necessary to apprise fully the traveling public of the arrangements authorized by order 73-4-72.

time is consistent with our firm belief, reiterated herein, that such a condition is required by the public interest and should be imposed and maintained in order to insure that the traveling public at Terre Haute is not penalized by our approval of Allegheny's replacement agreement with Verco.

We are unable to conclude, however, that a 60-day period is required to permit the arrangements which Allegheny contemplates. Rather, we believe that a 30-day stay of the effectiveness of order 73-4-72 should permit Allegheny sufficient time to take the actions said to be required in its petition.

Accordingly, it is ordered, That:

1. The effectiveness of ordering paragraph 1(e) of order 73-4-72 be and it hereby is stayed for a period of 30 days from the scheduled June 1, 1973, implementation date of that order, or through July 2, 1973;

2. This order may be amended or revoked without hearing at the discretion of the Board; and

3. This order shall be served upon the parties served with order 73-4-72.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-11179 Filed 6-4-73;8:45 am]

DEPARTMENT OF AGRICULTURE**Forest Service****ENVIRONMENTAL STATEMENTS****Statements Under Preparation as of May 15, 1973**

A list of environmental statements is here published to provide timely public information on status of Forest Service environmental statements under preparation as of May 15, 1973. Persons interested in a particular action and environmental statement should contact the responsible official directly.

For ease in use of this list, statements are grouped by Forest Service organizational units proposing the action. Statements marked with an asterisk indicate, in total or in part, land use planning, developments, or activities within inventoried roadless areas. National Forest inventoried roadless areas are defined as roadless and undeveloped areas 5,000 acres or larger, except that smaller areas adjoining existing wilderness and primitive areas could be included. Existing wilderness and primitive areas are excluded from this definition.

A listing of National Forest headquarters addresses is given at the end of the listing of environmental statements.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

MAY 29, 1973.

⁴ The implementation date of order 73-4-72 is June 1, 1973. Answers to Allegheny's petition were not due to be filed until June 4, 1973. This makes it essential to process the petition prior to the receipt of answers.

FOREST SERVICE ENVIRONMENTAL STATEMENTS UNDER PREPARATION AS OF MAY 15, 1973

Title of environmental statement	Location of proposal	Nature of proposal (i.e., land use, herbicide, etc.)	Responsible official	Date draft filed w/CEQ (or estimated date)	Estimated date of final
Washington Office: USDA, Forest Service, Washington, D.C.:					
*Proposed regulations and administrative instructions relating to use of off-road vehicles on national forest lands.	All national forests.....	Land use controls.....	Chief.....	March 1973.....	June 1973.
*Selection of proposed new study areas from roadless and undeveloped areas within the national forests.	Nationwide.....	Land use.....	do.....	January 1973.....	July 1973.
The protection, management, and control of wild and free-roaming horses and burros (regulations).	do.....	Protection of wild horses and burros.....	do.....	December 1972.....	May 1973.
Regulations covering the administration and use of Federal lands in the Sawtooth National Recreation Area, Sawtooth National Forest, Idaho.	Sawtooth National Forest, Idaho.....	Land use controls.....	do.....	March 1973.....	Do.
Regulations covering land acquisition and standards for use, subdivision, and development of private lands within the Sawtooth National Recreation Area, Sawtooth National Forest, Idaho.	do.....	do.....	do.....	May 1973.....	July 1973.
*Gila Wilderness proposal.....	Gila National Forest, N. Mex.	Legislative.....	do.....	October 1972.....	December 1973.
*Trinity Alps Wilderness proposal.....	California.....	do.....	do.....	do.....	Do.
*Monarch Wilderness proposal.....	do.....	do.....	do.....	do.....	Do.
*Uncompahgre Primitive Area.....	Colorado.....	do.....	do.....	do.....	Do.
*Eastern Wilderness proposal.....	Eastern United States.....	do.....	do.....	April 1973.....	August 1973.
*Pope Agte Primitive Area.....	Shoshone National Forest, Wyo.	do.....	do.....	May 1973.....	October 1973.
*Wilson Mountains Primitive Area.....	San Juan and Uncompahgre National Forests, Colo.	do.....	do.....	do.....	Do.
*Cloud Peak Primitive Area.....	Bighorn National Forest, Wyo.	do.....	do.....	June 1973.....	November 1973.
*Alpine Lakes planning unit.....	Snoqualmie and Wenatchee National Forests, Wash.	Land use (wilderness).....	do.....	do.....	February 1974.
*Weyerhaeuser-Gifford Pinchot National Forest land exchange.....	Gifford-Pinchot National Forest, Wash.	Land exchange.....	do.....	May 1973.....	July 1973.
*Mount St. Helens Recreation Area.....	do.....	Land use (recreation).....	do.....	do.....	December 1973.
*Skagit Wild and Scenic River.....	Whatcom and Skagit Counties, Wash.	Wild and scenic river (legislative).....	do.....	do.....	July 1973.
Eagle Cap Wilderness addition.....	Wallowa-Whitman National Forest, Oreg.	Legislative.....	do.....	June 1973.....	December 1973.
*High Uintas Primitive Area.....	Utah.....	Legislative (reclassified to wilderness).....	do.....	do.....	June 1973.
Chatooga River.....	National forests in Georgia.....	Wild and scenic river (legislative).....	do.....	July 1971.....	May 1973.
Pere Marquette River study.....	Huron-Manistee National Forests, Mich.	do.....	do.....	May 1973.....	August 1973.
Flathead Wild and Scenic River proposal.....	Flathead National Forest, Montana.....	Legislative.....	do.....	do.....	July 1973.
Northern Region, Region 1: USDA, Forest Service, Federal Bldg., Missoula, Mont.:					
Northern Region's slash disposal program.....	Montana, Idaho, Washington, North Dakota, portion of South Dakota.	Slash residues disposal.....	Regional Forester.....	March 1973.....	May 1973.
The use of Herbicides in the Northern Region.....	do.....	Regional programs involving the use of herbicides for range improvement, roadside and recreation area maintenance, right-of-way maintenance, timber stand improvement, and nursery maintenance.	do.....	May 1973.....	September 1973.
*Burnt Fork planning unit.....	Bitterroot National Forest, Mont.	Land use.....	Forest Supervisor.....	December 1972.....	June 1973.
*Moose Creek planning unit.....	do.....	do.....	do.....	July 1972.....	May 1973.
3-year road construction program.....	Clearwater National Forest, Idaho.....	Road construction program.....	do.....	August 1972.....	Do.
*A proposal—Absaroka, Beartooth, and cutoff.....	Custer and Gallatin National Forests, Mont. (R-1), and Shoshone National Forest, Wyo. (R-2).....	Wilderness classification.....	Regional Forester.....	July 1973.....	November 1973.
3-year road construction program.....	Custer National Forest, Mont., N. Dak., portion of South Dakota.....	Road construction program.....	Forest Supervisor.....	May 1973.....	July 1973.
Request for competitive coal lease.....	Medora Ranger District, Custer National Forest, N. Dak.	Mining.....	do.....	February 1973.....	June 1973.
Timber management plan.....	Flathead National Forest, Mont.	Resource plan.....	do.....	June 1973.....	September 1973.
3-year road construction program.....	do.....	Road Construction.....	do.....	August 1972.....	Do.
Timber management plan.....	Gallatin National Forest, Mont.	Resource plan.....	do.....	October 1972.....	May 1973.
*Warland planning unit.....	Fisher River Ranger District, Kootenai National Forest, Mont.	Land use plan.....	do.....	April 1973.....	June 1973.
3-year road construction program.....	Lolo National Forest, Mont.	Road construction.....	do.....	August 1972.....	May 1973.
Do.....	St. Joe, National Forest, Idaho.....	do.....	do.....	do.....	Do.
2-year road construction program.....	Bitterroot National Forest, Mont. and Idaho.....	do.....	do.....	July 1972.....	Do.
3-year road construction program.....	Nezperce National Forest, Idaho.....	do.....	do.....	do.....	Do.
Rocky Mountain Region, Region 2: USDA, Forest Service, Denver Federal Center, Bldg. 85, Denver, Colo.:					
*Meadow Mountain management unit (Beaver Creek winter sports site).....	White River National Forest, Colo.	Winter sports site.....	do.....	April 1973.....	August 1973.
Marble winter sports site.....	do.....	do.....	do.....	do.....	Do.
Wintlo Park management unit (Mary Jane winter sports site).....	Arapahoe National Forest, Colo.	do.....	do.....	May 1973.....	Do.

FOREST SERVICE ENVIRONMENTAL STATEMENTS UNDER PREPARATION AS OF MAY 15, 1973—Continued

Title of environmental statement	Location of proposal	Nature of proposal (i.e., land use, herbicide, etc.)	Responsible official	Date draft filed w/CEQ (or estimated date)	Estimated date of final
Southwestern Region, Region 3: USDA, Forest Service, Federal Bldg., Albuquerque, N. Mex.:					
Clarkdale-Williams Rd.	Prescott National Forest, Ariz.	Road construction	Regional Forester	February 1972	October 1973.
Mineral exploration, Mazatzal Wilderness	Tonto National Forest, Ariz.	Prospecting and mining	do	September 1972	May 1973.
Mineral exploration, Blue Range Wilderness	Apache National Forest, Ariz.	do	do	November 1972	May 1973 (to CEQ May 9).
Cibola timber management plan	Cibola National Forest, N. Mex.	Resource plan	do	June 1972	May 1973.
Santa Fe timber management plan	Santa Fe National Forest, N. Mex.	do	do	February 1973	August 1973.
Apache timber management plan	Apache National Forest, Ariz.	do	do	March 1973	September 1973.
New Mexico vegetative manipulation	Santa Fe and Gila National Forests.	Herbicide	Forest Supervisor	April 1973	June 1973.
Arizona vegetative manipulation	Katibab, Tonto, and Apache National Forests.	do	do	do	Do.
New Mexico vegetative manipulation	Gila National Forest (grasslands).	do	do	do	Do.
Do	Santa Fe, Gila, Carson, Apache, and Cibola National Forests.	Land treatment	do	do	Do.
Arizona vegetative manipulation	Silgreaves, Coconino, Katibab, Tonto, Prescott, and Apache National Forests.	do	do	do	Do.
Intermountain Region, Region 4: USDA, Forest Service, Federal Bldg., 324 25th St., Ogden, Utah 84401.					
Herbicide control of Sagebrush and Wyethia in Nevada.	Nevada ranges	Herbicide	Regional Forester	May 1973	September 1973.
*Pinyon-Juniper control	Utah ranges	Land use	do	April 1973	August 1973.
Pinyon-Juniper control	Nevada ranges	do	do	May 1973	September 1973.
Diamond Creek land use plan	Caribou National Forest, Idaho.	Land use plan	Forest Supervisor	February 1974	June 1974.
Mable Canyon phosphate mining	do	Phosphate mining	USGS-FS (USGS lead agency)	June 1973	October 1973.
Woolley Valley phosphate mining	do	do	do	do	Do.
Yankee Fork recreation development plan	Challis National Forest, Idaho.	Recreation	Forest supervisor	do	Do.
Boulder Grover Rd.	Dixie National Forest, Utah.	Road construction	do	do	Do.
Ruby Mountain land use plan	Humboldt National Forest, Nev.	Land use plan	do	July 1973	November 1973.
Coal burning thermal-electric power development—Huntington Canyon Generating Station (2d unit) (joint statement—Bureau of Reclamation, Bureau of Land Management, and Forest Service).	Manti-La Sal National Forest, Utah.	Electric power development	Regional Forester	August 1973	Do.
*South fork of Boise River-Wood River planning unit.	Sawtooth National Forest, Idaho.	Land use plan	Forest supervisor	July 1973	October 1973.
Central Nevada land use plan	Toiyabe National Forest, Nev.	do	do	do	November 1973.
American Fork Canyon-Provo Peak land use plan	Uinta National Forest, Utah.	do	do	May 1973	September 1973.
California Region, Region 5: USDA, Forest Service, 630 Sansome St., San Francisco, Calif.:					
Proposed general plan of management for national forest lands in the Lake Tahoe Basin.	Eldorado and Tahoe National Forests, Calif., and Toiyabe National Forest, Nev.	do	Regional Forester (R-4 and R-5).	May 1973	December 1973.
Rangeland enhancement	National forests in California.	Plant control and revegetation on sagebrush and deteriorated grassland sites.	Regional Forester	do	Do.
Forest reestablishment	do	Reforestation program	do	June 1973	January 1974.
Kirkwood winter sports development	Eldorado National Forest, Calif.	Winter sports area	do	September 1972	June 1973.
Horseshoe Meadow outdoor recreation plan	Inyo National Forest, Calif.	Area plan	do	June 1973	January 1974.
Sherwin Bowl ski area	do	Winter sports area	do	March 1974	October 1974.
Bishop Creek planning unit	do	Land use plan	do	June 1973	November 1973.
Klamath National Forest timber management plan.	Klamath National Forest, Calif.	Timber management plan	do	May 1973	October 1973.
*Bucks Lake planning unit	Plumas National Forest, Calif.	Land use plan	Forest Supervisor	do	Do.
Mineral King recreation development	Sequoia National Forest, Calif.	Year-round recreation area, including access system.	Regional Forester	June 1973	Do.
Shasta-Trinity National Forest timber management plan	Shasta-Trinity National Forest, Calif.	Timber management plan	do	May 1973	September 1973.
*North Side-Huntington Lake	Sierra National Forest, Calif.	Timber sales	Forest Supervisor	do	December 1973.
*Gasquet-Orleans Rd. (Chimney section)	Six Rivers National Forest, Calif.	Road construction	Regional Forester	June 1973	November 1973.
*Fox planning unit	do	Land use plan	Forest Supervisor	May 1973	October 1973.
Mount Reba winter sports area	Stanislaus National Forest, Calif.	Expansion of winter sports area.	Regional Forester	June 1973	December 1973.
Stanislaus National Forest timber management plan.	do	Timber management plan	do	July 1973	Do.
Pacific Northwest Region, Region 6: USDA, Forest Service, 319 Southwest Pine St., Portland, Oreg.:					
1973 herbicide use on Mount Hood, Willamette, and Rogue River National Forests.	Oregon	Herbicide	do	January 1973	June 1973.
1973 herbicide use on Ochoco, Deschutes, Fremont, and Winema National Forests.	do	do	do	October 1972	Do.
*Freezeout Rd. N-38	Wallowa-Whitman National Forest, Oreg.	Road construction	Forest Supervisor	August 1972	May 1973.

FOREST SERVICE ENVIRONMENTAL STATEMENTS UNDER PREPARATION AS OF MAY 15, 1973—Continued

Title of environmental statement	Location of proposal	Nature of proposal (i.e., land use, herbicide, etc.)	Responsible official	Date draft filed w/CEQ (or estimated date)	Estimated date of final
Anthony Lakes Recreation Area.....	do.....	Land use plan.....	do.....	April 1973.....	August 1973.
Bolsa Cascade exchange—part A.....	do.....	Land exchange.....	do.....	May 1973.....	Do.
*Wallowa-Whitman timber management plan.....	do.....	Resource plan.....	Regional Forester.....	do.....	Do.
*Elk-Read planning unit.....	Olympic National Forest, Wash.	Land use plan.....	Forest Supervisor.....	June 1973.....	December 1973.
*Umpqua National Forest timber management plan.....	Umpqua National Forest, Oreg.	Resource plan.....	do.....	June 1972.....	May 1973.
*Pacific Crest National Scenic Trail.....	Mount Baker, Snoqualmie and Wenatchee National Forests, Wash.	Trail location and construction.....	Regional Forester.....	July 1973.....	September 1973.
Pocket gopher damage control.....	Regionwide.....	Rodenticide.....	do.....	February 1973.....	June 1973.
Red Creek timber sale.....	Willamette National Forest, Oreg.	Timber sale.....	Forest Supervisor.....	July 1973.....	November 1973.
*Davis Mountain planning unit.....	Gifford-Pinchot National Forest, Wash.	Land use plan.....	do.....	May 1973.....	October 1973.
Summit Prairie Reservoir.....	Ochoco National Forest, Oreg.	Dam and reservoir construction.....	Regional Forester.....	do.....	August, 1973.
*Snoqualmie National Forest timber management plan.....	Snoqualmie National Forest, Wash.	Resource Plan.....	do.....	do.....	July 1973.
*Rouge River National Forest timber management plan.....	Rouge River National Forest, Oreg.	do.....	do.....	do.....	Do.
Southern Region, Region 8: USDA, Forest Service, 1720 Peachtree Rd. NW., Atlanta, Ga.: Hlawassee unit plan.....	Cherokee National Forest, Tenn.	Land use.....	Forest supervisor.....	June 1972.....	Pending legislation.
South Holston unit plan.....	do.....	do.....	do.....	March 1973.....	July 1973.
Blanchard Springs.....	Ozark National Forest, Ark.	do.....	do.....	April 1973.....	June 1973.
Proposal for mining limestone on the Withlacoochee State Forest.....	Citrus County.....	do.....	do.....	May 1973.....	July 1973.
Control of the pocket gopher.....	National forests in Texas.....	Gopher control.....	do.....	August 1972.....	June 1973.
Prescribed burning program in the Coastal Plains.....	Regionwide.....	Land Management Technique.....	Regional Forester.....	October 1973.....	April 1974.
Mount Rogers unit plan.....	Jefferson National Forest, Va.	Land use.....	Forest Supervisor.....	May 1973.....	September 1973.
Cave Mountain Lake unit plan.....	do.....	do.....	do.....	do.....	August 1973.
Wilson Creek unit plan.....	National forests in North Carolina.....	do.....	do.....	do.....	July 1973.
Keowee unit plan.....	Francis Marion-Sumter National Forest, S.C.	do.....	do.....	do.....	Do.
Juniper Complex unit plan.....	National forests in Florida.....	do.....	do.....	do.....	Do.
North River unit plan.....	George Washington National Forest, Va.	do.....	do.....	do.....	August 1973.
Ocoee unit plan.....	Cherokee National Forest, Tenn.	do.....	do.....	June 1973.....	Pending legislation.
Eastern Region, Region 9: USDA, Forest Service, 633 West Wisconsin Ave., Milwaukee, Wis.: Linan mines operating plan.....	Monongahela National Forest, W. Va.	Mining.....	Regional Forester.....	do.....	None.
Off-road vehicle policy.....	Hoosier National Forest, Ind.	Land use controls.....	Forest Supervisor.....	March 1973.....	June 1973.
Herbicide application.....	Regionwide.....	Herbicide.....	Regional Forester.....	July 1972.....	May 1973.
Timber management plan.....	Green Mountain National Forest, Vt.	Resource plan.....	Forest Supervisor.....	do.....	Do.
Do.....	White Mountain National Forest, N.H., Maine	Land use.....	do.....	June 1973.....	September 1973.
Management plan for the Boundary Waters canoe area.....	Superior National Forest, Minn.	do.....	Regional Forester.....	do.....	November 1973.
Off-road vehicle policy.....	White Mountain National Forest, N.H., Maine	Land use controls.....	Forest Supervisor.....	do.....	September 1973.
Timber management plan.....	Monongahela National Forest, W. Va.	Land use.....	do.....	do.....	Do.
Inland Steele land exchange.....	Superior National Forest, Minn.	do.....	Regional Forester.....	May 1973.....	Do.
Alaska Region, Region 10: USDA, Forest Service, Federal Office Bldg., Box 1628, Juneau, Alaska: *RCA, Coast Guard and Forest Service communications sites.....	Chugach and Tongass National Forests.....	do.....	do.....	do.....	August 1973.
*Chilkat Peninsula.....	North Tongass National Forest.....	Land use and timber sales.....	Forest supervisor.....	November 1973.....	May 1974.
*East Bradfield sale.....	do.....	Timber sale.....	do.....	May 1973.....	October 1973.
*Bear Creek sale.....	do.....	do.....	do.....	September 1973.....	March 1974.
*Portage sale.....	do.....	do.....	do.....	December 1973.....	June 1974.
*Tongass National Forest land use plan.....	North Tongass and South Tongass National Forests.....	Land use.....	do.....	June 1973.....	December 1973.
*Recreation cabins.....	Chugach National Forest.....	do.....	do.....	do.....	September 1973.
*Barry Arm No. 1 sale.....	do.....	Timber sale.....	do.....	May 1973.....	August 1973.
*Passage Canal salvage sale.....	do.....	do.....	do.....	June 1973.....	September 1973.
*Perenosa timber sale.....	do.....	do.....	do.....	May 1973.....	July 1973.
*Construction of fishways in roadless areas.....	Chugach and Tongass National Forests.....	Construction of fishways.....	Regional Forester.....	do.....	Do.
*Westside timber sale.....	Chugach National Forest.....	Timber sale.....	Forest Supervisor.....	do.....	August 1973.
*Recreation cabins.....	Tongass National Forest.....	Land use.....	do.....	May 1973.....	Do.
*Ketchikan Pulp Co. sale (5-year action plan).....	South Tongass National Forest.....	Timber sale including 400 mi of road.....	do.....	July 1973.....	January 1974.
*Chomley Sound timber sales.....	do.....	Timber sales.....	do.....	June 1973.....	December 1973.
*Carroll Inlet and Thorne Arm unit timber sales.....	do.....	do.....	do.....	September 1973.....	March 1974.
*Long Island timber sale.....	South Tongass.....	do.....	do.....	July 1973.....	December 1973.
Southeastern area, State and private forestry: USDA, Forest Service, 1720 Peachtree Rd. NW., Atlanta, Ga.: Southern pine beetle.....	Southeast area and Region 8.....	Insecticide.....	Area Director.....	May 1973.....	July 1973.
Southeastern Forest and Range Experiment Station: USDA, Forest Service, Post Office Bldg., P.O. Box 2570, Asheville, N.C.: Construction of forest research laboratory.....	Near Charleston, S.C.....	Construction.....	Director.....	do.....	August 1973.
North Central Forest Experiment Station: USDA, Forest Service, Folwell Ave., St. Paul, Minn.: Radiobiology of northern forest communities.....	Oneida County, Wis. (near Rhinelander).....	Research on ecological effects of gamma radiation.....	do.....	October 1972.....	June 1973.
Institute of Tropical Forestry: USDA, Forest Service, P.O. Box A-9, Rio Piedras, P.R.: Multiple-use plan for the Caribbean National Forest.....	Caribbean National Forest, P.R.....	Land use.....	do.....	July 1973.....	December 1973.
Land use plan for El Yunque Peak, Caribbean National Forest.....	do.....	do.....	do.....	do.....	Do.

NATIONAL FOREST HEADQUARTERS

REGION 1

Bitterroot National Forest, Hamilton, Mont. 53804.
 Clearwater National Forest, Orofino, Idaho 83544.
 Custer National Forest, Billings, Mont. 59103.
 Flathead National Forest, Kalispell, Mont. 59901.
 Gallatin National Forest, Bozeman, Mont. 59715.
 Kootenai National Forest, Libby, Mont. 59923.
 Lolo National Forest, Missoula, Mont. 59801.
 St. Joe National Forest, St. Maries, Idaho, 83861.
 Nezperce National Forest, Grangeville, Idaho 83530.

REGION 2

Arapaho National Forest, Golden, Colo. 80401.
 White River National Forest, Glenwood Springs, Colo. 81601.

REGION 3

Apache National Forest, Springerville, Ariz. 85938.
 Carson National Forest, Taos, N. Mex. 87571.
 Cibola National Forest, Albuquerque, N. Mex. 87103.
 Coconino National Forest, Flagstaff, Ariz. 86002.
 Gila National Forest, Silver City, N. Mex. 88061.
 Kaibab National Forest, Williams, Ariz. 86046.
 Prescott National Forest, Prescott, Ariz. 86301.
 Santa Fe National Forest, Santa Fe, N. Mex. 87501.
 Sitgreaves National Forest, Holbrook, Ariz. 86025.
 Tonto National Forest, Phoenix, Ariz. 85025.

REGION 4

Caribou National Forest, Pocatello, Idaho 83201.
 Challis National Forest, Challis, Idaho 83226.
 Dixie National Forest, Cedar City, Utah 84720.
 Humboldt National Forest, Elko, Nev. 89801.
 Sawtooth National Forest, Twin Falls, Idaho 83301.
 Toiyabe National Forest, Reno, Nev. 89503.
 Uinta National Forest, Provo, Utah 84601.

REGION 5

Plumas National Forest, Quincy, Calif. 95971.
 Sierra National Forest, Fresno, Calif. 93721.
 Six Rivers National Forest, Eureka, Calif. 95501.

REGION 6

Gifford Pinchot National Forest, Vancouver, Wash. 98660.
 Olympic National Forest, Olympia, Wash. 98501.
 Umpqua National Forest, Roseburg, Ore. 97470.
 Wallowa-Whitman National Forest, Baker, Ore. 97814.
 Willamette National Forest, Eugene, Ore. 97401.

REGION 8

Cherokee National Forest, Cleveland, Tenn. 37311.
 Francis Marion-Sumter National Forest, Columbia, S.C., 29201.
 George Washington National Forest, Harrisonburg, Va., 22801.
 Jefferson National Forest, Roanoke, Va., 24016.
 National Forests in Florida, Tallahassee, Fla., 32302.
 National Forests in North Carolina, Asheville, N.C., 28802.

National Forests in Texas, Lufkin, Tex. 75901.
 Ozark National Forest, Russellville, Ark. 72801.

REGION 9

Green Mountain National Forest, Rutland, Vt., 05701.
 Hoosier National Forest, Bedford, Ind., 47421.
 Monongahela National Forest, Elkins, W. Va., 26241.
 White Mountain National Forest, Laconia, N.H., 03246.

REGION 10

Chugach National Forest, Anchorage, Alaska, 99503.
 North Tongass National Forest, Juneau, Alaska, 99801.
 South Tongass National Forest, Ketchikan, Alaska, 99901.

[FR Doc.73-10986 Filed 6-4-73;8:45 am]

Forest Service

BLANCHARD SPRINGS CAVERNS

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the operation of Blanchard Springs Caverns, USDA-FS-FES-(Adm) 73-62.

The environmental statement concerns the following action:

ADMINISTRATIVE ACTION

Operation and administration, beginning in July 1973, of a system of unusually beautiful and unique caverns for enjoyment and study by the public under the administrative policies of USDA Forest Service. The development consists of a visitor information center with elevators to the caverns; 0.7 mile of paved and curbed caverns trails; indirect caverns lighting; water, sewer, and electrical systems; shelter cave day use area for picnicking and swimming; and supporting roads, hiking trails, and parking facilities.

This final environmental statement was filed with CEQ on May 30, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., room 3230, 12th Street and Independence Avenue SW., Washington, D.C. 20250.

USDA, Forest Service, 1720 Peachtree Road NW., room 808, Atlanta, Ga. 30309.

USDA, Forest Service, Forest Supervisor, Ozark-St. Francis National Forest, Box 340, Russellville, Ark. 72801.

A limited number of single copies are available upon request to Forest Supervisor, Ozark-St. Francis National Forest, Box 340, Russellville, Ark. 72801.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in

the Council on Environmental Quality guidelines.

PHILIP L. THORNTON,
 Deputy Chief, Forest Service.

MAY 30, 1973.

[FR Doc.73-11202 Filed 6-4-73;8:45 am]

LANDOWNERSHIP ADJUSTMENT PLAN BETWEEN WEYERHAEUSER CO. AND GIFFORD PINCHOT NATIONAL FOREST

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for landownership adjustment plan between Weyerhaeuser Co. and Gifford Pinchot National Forest in Washington. USDA-FS-DES (Adm) 73-70.

The environmental statement concerns a proposed landownership adjustment plan between Weyerhaeuser and the Forest Service. Weyerhaeuser is offering 11,569 acres of their land to the Forest Service in exchange for 11,847 acres of National Forest lands, all in the State of Washington. The exchange will consolidate public and private lands and will increase the number of land management alternatives, reduce management costs, and make several thousand acres of public land available primarily for recreation use.

This draft environmental statement was filed with CEQ on May 30, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, room 3230, 12th Street and Independence Avenue SW., Washington, D.C. 20250.

Regional Forester's Office, Pacific Northwest Region, 319 Southwest Pine Street, Portland, Ore. 97208.

Forest Supervisor's Office, Gifford Pinchot National Forest, 500 West 12th Street, Vancouver, Wash. 98660.

A limited number of single copies are available upon request to John R. McGuire, Chief, U.S. Forest Service, Washington, D.C. 20250.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to John R. McGuire, Chief, U.S. Forest Service, Washington, D.C. 20250. Comments must be received by July 13, 1973, in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

MAY 30, 1973.

[FR Doc.73-11201 Filed 6-4-73;8:45 am]

MULTIPLE-USE PLAN—SKALKAHO-GIRD AND SLEEPING CHILD PLANNING UNITS

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Multiple-Use Plan—Skalkaho-Gird and Sleeping Child Planning Units, Forest Service Report No. USDA-FS-DES(Adm) 73-69.

The environmental statement concerns the proposed action for implementation of a revised multiple-use plan for the Skalkaho-Gird and Sleeping Child Planning Units. These units are located on the Darby Ranger District of the Bitterroot National Forest in Ravalli County, Mont. A total of 121,820 acres of National Forest land are affected. The plan provides the district ranger with more detailed management guidance for the units. The units are divided into 13 different subunits. Each subunit combines areas of similar uses, resource potentials, and limitations. Consequently, key values may be identified and management guidance defined for each individual subunit.

This draft environmental statement was filed with CEQ May 30, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., room 3230, 12th Street and Independence Avenue SW., Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Bldg., room 3077, Missoula, Mont. 59801.

USDA, Forest Service, Bitterroot National Forest, 316 North Third Street, Hamilton, Mont. 59840.

A limited number of single copies are available upon request to:

Orville L. Daniels, Forest Supervisor, Bitterroot National Forest, 316 North Third Street, Hamilton, Mont. 59840.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Orville L. Daniels, Forest Supervisor, Bitterroot National Forest, 316 North Third Street, Hamilton, Mont. 59840. Comments must be received by July 13, 1973, in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

MAY 30, 1973.

[FR Doc.73-11200 Filed 6-4-73;8:45 am]

Packers and Stockyards Administration WALKER LIVESTOCK AUCTION, VAN BUREN, ARK., ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said act and are, therefore, no longer subject to the provisions of the act.

Facility No., name, location of stockyard, and date of posting

AR-144—Walker Livestock Auction, Van Buren, Ark., July 19, 1971.

ID-115—Meridian Sales Yard, Meridian, Idaho, January 14, 1955.

KS-164—The Newton Livestock & Commission Company, Newton, Kans., December, 9, 1959.

MO-221—Miller Livestock Auction Co., Miller, Mo., March 9, 1972.

NC-120—Union County Livestock Auction, Inc., Mineral Springs, N.C., May 11, 1959.

NC-134—Carolina Stock Yards, Company, Siler City, N.C., April 8, 1961.

OK-125—Elk City Livestock Auction, Inc., Elk City, Okla., March 10, 1950.

PA-102—Farmer's Livestock Market, Blairsville, Pa., July 31, 1969.

SD-135—Palace City Auction, Inc., Mitchell, S. Dak., May 24, 1955.

TX-103—Brazoria County Livestock Barn, Alvin, Tex., June 21, 1967.

TX-107—Athens Commission Company, Athens, Tex., January 9, 1957.

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly deposting a stockyard which is no longer within the definition of that term contained in the act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective on June 5, 1973.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 30th day of May 1973.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[FR Doc.73-11203 Filed 6-4-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-630; NADA's Nos.
11-036V and 11-385V]

MERCK SHARP & DOHME RESEARCH LABORATORIES

Nithiazide; Notice of Opportunity for a Hearing

Notice is hereby given to Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065, and to any interested persons who may be adversely affected that the Commissioner of Food and Drugs proposes to issue an order under the provisions of section 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(e)) withdrawing approval of new animal drug application (NADA) No. 11-036V for 16.7 percent Hepzide (Nithiazide) Soluble Powder and NADA No. 11-385V for Hepzide (Nithiazide) 30 percent Medicated Premix, products which are administered in the feed or drinking water of chickens or turkeys as an aid in prevention and/or treatment of outbreaks of blackhead in turkeys and chickens, and hexamiasis in turkeys.

The Commissioner, on the basis of new information before him with respect to such drugs evaluated together with the evidence available to him when the applications were approved, concludes that the drugs are not shown to be safe under the conditions of use upon the basis of which the applications were approved.

Information available to the Commissioner has shown that more sensitive methods of analysis than those submitted with the NADA's are needed to determine that no residues of the drug are present in the edible products of treated chickens and turkeys. The Food and Drug Administration informed Merck Sharp & Dohme Research Laboratories by letter of February 8, 1973, that: (1) Long-term studies of compounds resembling nithiazide in structure and with similar spectrum of activity have resulted in adverse effects; (2) the lowest level of sensitivity in the validated method is 0.5 p/m, and this was only for muscle tissue; and (3) no information is available on potential metabolites.

Merck Sharp & Dohme Research Laboratories responded to the above-cited letter on April 12, 1973. In their response, they stated that they do not intend to develop new data to show that there are no residues of the drugs or their metabolites in the edible tissue of treated animals.

Therefore, notice is given to Merck Sharp & Dohme Research Laboratories and to any other interested person that the Commissioner proposes to issue an order under section 512(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of the listed NADA's and all amendments and supplements thereto on the grounds that new evidence not contained in such applications and not available until after such applications were approved, evaluated together with the evidence available when the applications were approved, shows that such drugs are not shown to be safe for use under the conditions of use upon the basis of which the applications were approved.

All identical, related, or similar products not the subject of an approved new animal drug application are covered by the new animal drug applications reviewed. Any manufacturer or distributor of such an identical, related, or similar product is an interested person who may in response to this notice submit data and information, request that the new animal drug applications not be withdrawn, request a hearing, and participate as a party in any hearing. Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Veterinary Medicine, Division of Compliance, 5600 Fishers Lane, Rockville, Md. 20852.

In accordance with the provisions of section 512 of the act and the regulations promulgated thereunder (21 CFR pt. 135), the Commissioner hereby gives the applicant and any other interested person an opportunity for a hearing to show why approval of the new animal drug applications should not be withdrawn.

On or before July 5, 1973, the applicant and any other interested person is required to file with the Hearing Clerk, Food and Drug Administration, room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election on or before July 5, 1973, will constitute an election by him not to avail himself of the opportunity for a hearing.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the applications.

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before July 5, 1973, a written appearance requesting the hearing, giving the reasons why approval of the new animal drug applications should not be withdrawn, together with a well-organized and full factual analysis of the data he is prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations

or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 135.15(b)).

If review of the data submitted by an applicant or any other interested person warrants the conclusion that there exists substantial evidence demonstrating the safety of the products for the labeling claims involved, the Commissioner will rescind this notice of opportunity for a hearing.

If review of the data in the applications and data submitted by the applicant or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of the applications, the Commissioner will enter an order of withdrawal making findings and conclusions on such data.

If, upon the request of the new animal drug applicant or any other interested person, a hearing is justified, the issues will be defined, an administrative law judge will be named, and he shall issue, as soon as practicable after the expiration of July 5, 1973, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new animal drug applications will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses, submit suggested findings of fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

Requests for hearing and/or elections not to request a hearing may be seen in the Office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 343-351; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated May 29, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-11133 Filed 6-4-73;8:45 am]

National Institutes of Health
PRESIDENT'S CANCER PANEL,
NATIONAL CANCER INSTITUTE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the President's Cancer Panel, National Cancer Institute, June 8, 1973, 9:30 a.m. to

11:30 a.m., National Institutes of Health, Building 31, Conference Room 11A10. This meeting will be open to the public to discuss the fiscal year 1974 budget and the agenda for the June 1973 meeting of the National Cancer Advisory Board. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, building 31, room 10A31, National Institutes of Health, Bethesda, Md. 20014 (301-496-1911) will furnish summaries of the open meeting and roster of committee members.

Dr. James A. Peters, executive secretary, building 31, room 11A05, National Institutes of Health, Bethesda, Md. 20014 (301-496-6618) will provide substantive program information.

Dated June 1, 1973.

JOHN F. SHERMAN,
Deputy Director, NIH.

[FR Doc.73-11320 Filed 6-4-73;9:45 am]

Social and Rehabilitation Service
NATIONAL ADVISORY COUNCIL ON SERVICES AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

Notice of Meeting

The National Advisory Council on Services and Facilities for the Developmentally Disabled, created to advise the Secretary on regulations and evaluation of programs for Public Law 91-517, will hold a regular meeting on June 8 and 9, 1973, in the Commonwealth Center and South Rooms of the Olde Colony Motor Lodge and Conference Center, North Washington and First Street, Alexandria, Va. On June 8 the meeting will begin at 8:30 a.m. and recess at 5:30 p.m. On June 9 the meeting will reconvene at 9 a.m. and adjourn at 2:30 p.m. The agenda will include a presentation and discussion of long-range goals and objectives relevant to developmentally disabled children and adults, discussion of supplemental security income as it relates to developmentally disabled children and adults, discussion of the impact of changes of regulations as they apply to title VI, a review of legislation, and a report on the Developmental Disabilities/Technical Assistance System at University of North Carolina. The meeting on June 8 will be open to the public. It has been determined that the meeting on June 9 shall be closed to the public from 1 p.m. to 2:30 p.m. to express the views and judgments of the members on their advice to the Secretary on evaluation of the developmental disabilities program. Such views if reduced to writing would be protected from mandatory disclosure under section 552(b)(5) of title 5 U.S.C. Additional information can be obtained by calling the Executive Secretary at 202-962-7355.

RONALD B. ALMACK,
Acting Executive Secretary.

MAY 31, 1973.

[FR Doc.73-11171 Filed 6-4-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration NATIONAL AIRSPACE SYSTEM

Notice of Policy Decision Regarding Air Traffic Control Radio Frequency Assign- ment

The Federal Aviation Administration (FAA) on February 9, 1972, issued a notice of invitation for comments in the *FEDERAL REGISTER* on the proposed integration of 25 kHz spaced VHF communication channels into the National Airspace System. This notice informed the public that due to existing problems of frequency congestion, and the expected growth in aviation that the FAA was planning to increase the air traffic control communication capability by dividing the available spectrum into 25 kHz spaced channels. A tentative schedule for integration of 25 kHz spaced channels was set forth commencing in the high altitude en route sectors in January of 1976, progressing into the low altitude sectors and being deployed at selected air traffic control tower facilities and selected flight service stations in June 1979.

A total of 37 comments were received as a result of the above-mentioned notice. The majority of the comments concurred with the proposal. Of the six established aviation organizations which responded (AOPA, ATA, ATCA, EAA, GAMA, NBAA), five concurred. The AOPA did not concur. Among other comments the AOPA stated they did not consider the proposed time period to be reasonable. Along this line, the NBAA, while concurring, suggested a 2-year delay in the implementation of 25 kHz below the jet route structure.

Comments received from individuals numbered 31 and were almost evenly divided on the pros and cons of channel spacing, with 17 concurrences and 14 nonconcurrences. The comments of those who nonconcurred reflected the opinion that the time schedule was unreasonable and imposed an unnecessary economic burden on the user.

An overall analysis of comments shows no substantive objections to the use of 25 kHz spaced channels at high altitudes. The greatest economic impact would result from implementation of 25 kHz below the jet route structure and particularly if required by VFR traffic at air traffic control tower facilities and selected flight service stations.

Since the proposal was published, the FAA has closely investigated forecast user demand and internal requirements. In view of a slowdown in the growth rate, it has been determined that the 25 kHz implementation for air traffic control purposes can proceed more slowly than indicated in the aforementioned proposed schedule. Accordingly, it is the intention of the FAA to proceed with the 25 kHz channel implementation for high altitude en route sectors commencing in January of 1977. Definite plans for implementation have not been finalized but certain congested areas may require implementation of 25 kHz channel assign-

ments in the high altitude route structure on a case-by-case basis, starting in 1976. High altitude en route sectors are defined as all sectors having floors at or above the existing low altitude route structure ceiling of 18,000 feet. By satisfying the high altitude en route requirements, on 25 kHz spaced channels starting at the upper end of the air traffic control spectrum, it appears that all requirements in the low altitude route structure and at terminals and flight service stations may be accommodated on 50 kHz channels for a number of years after introduction into the high altitude structure. The implementation of new channelization below the high altitude en route sectors will remain the subject of further study. The results of this study should be available to the public on or before June 30, 1974.

In accordance with this decision, the FAA will coordinate with the FCC with respect to the notice of proposed rule-making, Docket No. 19647, concerning the conversion of air/ground transmitters to frequency tolerances applicable to a 25 kHz environment. The FAA will request that the FCC final rule reflect the planning shown above.

Issued in Washington, D.C., on May 21, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.73-11127 Filed 6-4-73;8:45 am]

INTERIM STANDARD MICROWAVE LANDING SYSTEM

Notice of Policy Decision

On December 22, 1972, the Federal Aviation Administration (FAA) issued an invitation for comments in the *FEDERAL REGISTER* on a policy statement regarding the selection of an interim standard microwave landing system. An addendum to that invitation was issued in the *FEDERAL REGISTER* on January 18, 1973. The invitation and its addendum informed the public of FAA's intention to select an interim standard microwave landing system which can be used at locations where a VHF/UHF ILS will not perform in an effective manner, or where the needs for low approach service would be better met by the use of the interim standard (system).

The policy statement also stipulated that a performance specification would be utilized to select the interim standard microwave landing system and that through appropriate rulemaking action, the FAA will propose that this interim standard (system) * * * be the only system eligible for ADAP funding; * * * be considered a public use facility; * * * (and) also be eligible for F&E funding.

Comments were requested on the operational, technical, and economic aspects of the policy to insure that the system selected would meet the broadest spectrum of user requirements in the most efficient manner.

A total of 41 comments was received in reply to the invitation for comments. The majority of the commentors approved of FAA's intention to select an interim

standard microwave landing system as well as with its application and funding. Of the six national, aviation-related organizations that responded only one objection to the selection of an interim system was voiced. The primary basis of that objection was the assertion that an FAA-designated interim system would hamper the orderly development and transition to the universal MLS system. Of the other remaining 35 commentors, only one share this view. The December 22, 1972, policy statement specified that the national DOT/DOD/NASA MLS program is on schedule and, upon its successful completion toward the end of the decade, it will provide implementation of an improved low approach landing capability. The FAA believes that limited application of the interim standard microwave landing system (in comparison to the established VHF/UHF ILS system) will not detract from the national MLS program.

In addition to comments on the policy itself, respondents expressed the following requirements for the interim microwave landing system: Low system cost; category I accuracy; high reliability and maintainability; and a split site system configuration capability.

Based upon all comments received, the FAA intends to proceed with the selection of an interim standard microwave landing system using a performance specification for that purpose. Bidder evaluation criteria will be established in keeping with the desired system capabilities stressed by the respondents to the invitation for comments.

In accordance with this decision the FAA will issue a request for proposals (RFP) using a performance specification as its basis. Further, amendments to FAR part 171 will be proposed to require grantee use of the standard interim microwave landing system to qualify for ADAP funding assistance whenever a microwave approach system is planned. The FAA will also undertake the development of facility establishment criteria for use when planning interim microwave landing systems.

Issued in Washington, D.C., on May 22, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.73-11128 Filed 6-4-73;8:45 am]

Hazardous Materials Regulations Board HAZARDOUS MATERIALS REGULATIONS BOARD RECORDS

Notice of Change of Location

The records of the Hazardous Materials Regulations Board of the Department of Transportation have been moved to room 6215 of the Buzzard Point Building located at Second and V Streets SW., Washington, D.C. They are available for examination between the hours of 9 a.m. and 5 p.m. each Federal working day.

The mailing address is as follows: Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590.

Issued in Washington, D.C., on May 24, 1973.

ALAN I. ROBERTS,
Secretary.

[FR Doc.73-11164 Filed 6-4-73;8:45 am]

**National Highway Traffic Safety
Administration**

[Docket No. EX73-4; Notice 1]

CUSHMAN MOTORS

**Petition for Temporary Exemption From
Motor Vehicle Safety Standard**

Cushman Motors of Lincoln, Nebr., a division of Outboard Marine Corporation, has applied for a temporary exemption of its Haulster model from compliance with the stopping distance requirements of Federal Motor Vehicle Safety Standard No. 122, Motorcycle Brake Systems, on the basis that compliance would cause it substantial economic hardship.

According to the petition the Cushman Haulster is a three-wheeled vehicle with a curb weight of 985 pounds and a top speed of 37.8 miles per hour. It is sold principally to police departments as a patrol vehicle, and to municipalities, institutions, and businesses for use as a refuse and general utility vehicle. Less than 1 percent are sold to individuals. Cushman's 1972 production of motor vehicles as that term is defined in the National Traffic and Motor Vehicle Safety Act was 978.

Cushman requests the exemption for a period of 3 years, from January 1, 1974 to January 1, 1977. The vehicles would be relieved from compliance with the stopping distance requirements of paragraph S5. During the period of the exemption Cushman will evaluate a new Bendix brake that becomes available in October 1973 for compliance with standard No. 122. On the basis of present technology, however, the standard allegedly can not be met without an increase in wheel size from 8 to 9 inches or an increase in the braking effort in the front wheel. Use of a larger wheel, in Cushman's opinion, will render the vehicle less stable by raising its center of gravity. Increase in braking effort may increase the possibility of jackknifing. Estimated tooling and engineering costs are \$50,000, no matter whether compliance is achieved as soon as possible or at the end of 1, 2, or 3 years. The resulting increase in unit retail price would be \$75 to \$100. The average price of a Haulster to Cushman dealers is \$1,500. Cushman has also filed with its petition test results showing the extent of noncompliance with standard No. 122.

Interested persons should note that if the proposed redefinition of motorcycle (38 FR 12818) is adopted, the Haulster, which has a full or partial enclosure for the driver, would no longer be categorized as a motorcycle and standard No. 122 would be inapplicable.

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations

on this subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition of Cushman Motors described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, room 5221, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed, and will be considered to the extent possible. If the petition is granted, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date.—July 6, 1973.

Proposed effective date.—Date of issuance of exemption.

(Sec. 3, Public Law 92-548, 86 Stat. 1159, 15 U.S.C. 1410; delegation of authority at 38 FR 12147.)

• Issued on May 30, 1973.

JAMES E. WILSON,
Associate Administrator,
Traffic Safety Programs.

[FR Doc.73-11181 Filed 6-4-73;8:45 am]

**ADMINISTRATIVE CONFERENCE OF
THE UNITED STATES**

AMENDED NOTICE OF PUBLIC MEETING

The membership of the Administrative Conference of the United States will meet in plenary session on Thursday, June 7, 1973, at 1:30 p.m. and on Friday, June 8, 1973, at 9:30 a.m. The Conference will meet both days at the International Conference Room, Department of State, Washington, D.C. Our previous notice of meeting (FEDERAL REGISTER of May 23, 1973, 38 FR 13614) stated that the June 8 meeting would be held in the New Executive Office Building, Washington, D.C.

The agenda of the meeting is as stated in our previous notice. It is anticipated that the June 7 meeting will be devoted to consideration of the American Bar Association proposals to amend the Administrative Procedure Act and the June 8 meeting to the remaining items.

Plenary sessions of the Conference are open to the public. Persons attending are requested to enter the Department of State building by the C Street entrance. Since identification and indication of business are required for admission to the building, members of the public who plan to attend will save time by registering in advance with the Office of the Chairman, 2120 L Street NW.,

suite 500, Washington, D.C. 20037, telephone 254-7020.

Dated May 31, 1973.

RICHARD K. BERG,
Executive Secretary.

[FR Doc.73-11182 Filed 6-4-73;8:45 am]

ATOMIC ENERGY COMMISSION

**ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS' SUBCOMMITTEE ON
ATLANTIC GENERATING STATION**

Notice of Meeting

MAY 31, 1973.

In accordance with the purposes of sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards Subcommittee on Atlantic Generating Station will hold a meeting on June 20, 1973, in room 1046 at 1717 H Street NW., Washington, D.C. The purpose of this meeting will be to continue the review of the preliminary site description report for the Atlantic Generating Station, proposed as a barge-mounted nuclear generating station to be located approximately 3 miles offshore of the southeast coast of New Jersey, and approximately 11 miles northeast of Atlantic City, N.J.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Wednesday, June 20, 9:30 am.-3:30 p.m.

Review of preliminary site description report, Atlantic Generating Station Units 1 and 2. (Presentations by regulatory staff and representatives of Public Service Electric & Gas Co. of New Jersey and their representatives and discussions with these groups.)

In connection with the above agenda item, the Subcommittee will hold an executive session beginning at 8:30 a.m. which will involve a discussion of its preliminary views, and an executive session at the end of the day, consisting of an exchange of opinions of the Subcommittee members present and internal deliberations and formulation of recommendations to the ACRS. In addition, prior to the executive session at the end of the day, the Subcommittee may hold a closed session with the regulatory staff and applicant to discuss privileged information relating to plant security, if necessary. I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the executive session at the beginning and end of the meeting will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain information relating to site security which is privileged and falls within exemption (4) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal

views and to avoid undue interference with agency or Committee operation.

Practical considerations may dictate alternations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing 25 copies thereof, postmarked no later than June 12, 1973, to the executive secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the preliminary site description report and related documents on file and available for public inspection at the Atomic Energy Commission's public document room, 1717 H Street NW., Washington, D.C. 20545, and the Wallace R. Host Community Library, North School, Lafayette and Evans Avenue, Brigantine, N.J. 08203.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statements and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3 p.m. on the day of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been canceled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on June 19, 1973, to the office of the executive secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m. e.d.t.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come-first-served basis.

(g) Copies of minutes of public sessions will be made available for inspection on or after August 20, 1973, at the Atomic Energy Commission's public document room, 1717 H Street NW., Washington, D.C. Copies may be obtained upon payment of appropriate charges.

JOHN V. VINCIGUERRA,
Advisory Committee
Management Officer.

[FR Doc.73-11250 Filed 6-4-73;8:45 am]

[Dockets Nos. 50-269A, etc.]

DUKE POWER CO.

Order for Further Prehearing Conference

In the matter of Oconee Units 1, 2, and 3; McGuire Units 1 and 2; dockets Nos. 50-269A, 50-270A, 50-287A, 50-369A, and 50-370A.

The Board has been gratified at the efforts of the parties among themselves and with third persons subject to subpoena, to reach a practical solution for discovery of needed information. However, some unresolved questions appear to remain. Hence the Board had determined to grant a further period for the purpose of consultation particularly in light of the guidelines handed down by the Appeals Board in its Consumers Power Decision of May 16, and then to request the parties and the involved third persons to be present at a conference to finally resolve the remaining problems. Accordingly, *It is ordered:*

1. That a prehearing conference be held on June 20, 1973, at 9:30 a.m. on June 20, 1973, at 811 Vermont Avenue NW., room 111, Washington, D.C. (Veterans Administration Building), for the purposes stated in the preamble hereof and for such other purposes as may expedite the proceedings.

2. The parties who have had subpoenas issued shall serve a copy of this order on each person subpoenaed together with a detailed statement quoting the items unresolved on or before June 11, 1973, and, the persons subpoenaed are required to file a response by June 17, 1973, if they are unwilling to produce such items.

3. The time of the parties to attempt to resolve differences among themselves or with third persons is extended to and including June 9, 1973.

Issued at Washington, D.C., this 29th day of May 1973.

THE ATOMIC SAFETY AND LICENSING BOARD,
WALTER W. K. BENNETT,
Chairman.

[FR Doc.73-10969 Filed 6-4-73;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Director of Policy Services, Office of the Secretary.

U.S. CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioner.

[FR Doc.73-11183 Filed 6-4-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Revocation of Authority to Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Programs, Office of the Secretary.

U.S. CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.
[SEAL]
[FR Doc.73-11186 Filed 6-4-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Under Secretary, Offices of the Secretary.

U.S. CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.
[SEAL]
[FR Doc.73-11184 Filed 6-4-73;8:45 am]

DEPARTMENT OF LABOR

Notice of Grant of Authority to Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted service the position of executive assistant to the Under Secretary, Office of the Secretary.

U.S. CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.
[SEAL]
[FR Doc.73-11185 Filed 6-4-73;8:45 am]

COST OF LIVING COUNCIL

FOOD INDUSTRY WAGE AND SALARY COMMITTEE

Determination To Close Meeting

Pursuant to authority granted me by Cost of Living Council order 25, I have determined that the meeting of the Food Industry Wage and Salary Committee to be held, as previously announced, on June 13, 1973, will consist of exchanges of opinions, that the discussions, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C. on June 1, 1973.

HENRY H. PERRITT, Jr.,
Executive Secretary,
Cost of Living Council.

[FR Doc.73-11283 Filed 6-1-73; 3:33 pm]

FOOD INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-453, 86 Stat. 770), notice is hereby given that the Food Industry Advisory Committee, created by section 7(b) of Executive Order 11695 will meet on June 11 and 12, 1973, at 2000 M Street NW., Washington, D.C. The meeting on June 11 will commence at 9 a.m. in room 2105. The afternoon session will begin at 1 p.m. in room 7206. The meeting on June 12 will commence at 9 a.m. in room 7206.

The June 11 meeting will be open to the public from 9 a.m. to 12 noon. The agenda is as follows:

- 9 a.m.—Presentation on unit pricing by a consumer representative.
- 10 a.m.—Briefing on fisheries policies and programs by the National Oceanic and Atmospheric Administration.
- 11 a.m.—Presentations by several representatives of the seafood industry.

Practical considerations may induce changes in this agenda.

The chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Only members of the Committee, and its staff, may question the witnesses. The chairman may, if he believes it would be useful to the work of the Committee and time permits, entertain questions from the floor. Due to space limitations, it is possible that there will not be enough seating. Persons will be admitted on a first-come-first-served basis.

Anyone may submit a written statement by mailing it to James Murphy, room 8014, 2000 M Street NW., Washington, D.C. 20508. It is suggested that statements concerning unit pricing or seafood production would be particularly relevant with respect to this meeting.

Any statements concerning those subjects received 3 or more days prior to the meeting will be provided to the Committee before the meeting.

Any statement over 3 pages in length should be submitted in 20 copies.

While the Committee anticipates that the bulk of the available time will be taken up by the scheduled testimony, anyone who has submitted a written statement in the manner set out above, may request an opportunity to address the Committee. The request should accompany the written statement and should explain why an oral statement is necessary and why it would be useful to the Committee. To the extent that time permits, the Committee will receive these oral statements with respect to the topics listed on the agenda.

These requests to address the Committee will be ruled on by the chairman, who will apportion the time available among those selected by him to make oral statements.

Those submitting requests to make oral statements may determine whether their request has been granted and the time allotted to them by telephoning James Murphy at 202-254-3008 on June 8, 1973, between 8 a.m. and 5 p.m., e.d.s.t.

The afternoon session of the June 11 meeting and the entire meeting on June 12 will consist of a consideration by the Committee, in executive session, of a number of policy matters relating to the advice the Committee ought to give the Cost of Living Council regarding the Council's regulation of the food industry.

Since these discussions, if written, would fall within exemption (5) of 5 U.S.C. 552(b), and since it is necessary to close the meeting if we are to have a free exchange of internal views, I have determined under the authority granted me in Cost of Living Council Order 25, to close the meeting pursuant to section 10(d) of the Federal Advisory Committee Act.

Issued in Washington, D.C., on June 1, 1973.

HENRY PERRITT,
Executive Secretary,
Cost of Living Council.

[FR Doc.73-11360 Filed 6-4-73; 11:38 am]

FEDERAL POWER COMMISSION

[Docket No. CI73-677]

APACHE EXPLORATION CORP.

Order Granting Interventions, Setting Hearing Date and Prescribing Procedure

MAY 29, 1973.

On April 4, 1973, Apache Exploration Corp. (Apache) filed an application in docket No. CI73-677 for a limited term certificate of public convenience and necessity with pregranted abandonment authority, pursuant to order No. 431 and § 157.23 of the Commission's regulations under the Natural Gas Act, for the sale of gas produced from certain leases in Lafourche Parish, La., to Texas Eastern Transmission Corp. (Texas Eastern), pursuant to a contract dated October 18, 1972. The estimated volume of this proposed sale is 150,000 M ft³ per month.

Specifically, Apache requests the issuance of a certificate limited to a term of 1 year with pregranted abandonment for a sale of gas to Texas Eastern from acreage in the Wildcat Field, Lafourche Parish, south Louisiana, at a rate of 50 cents subject to an upward and downward British thermal unit adjustment. The justification for the rate as well as other public interest issues should be presented on a full evidentiary record. Accordingly, we will set this matter for a formal, expeditious hearing.

Timely petitions to intervene in favor of the application were received from Texas Eastern on April 30, 1973, and from Algonquin Gas Transmission Co. (Algonquin) on May 2, 1973.

The Commission finds

(1) The intervention of Texas Eastern and Algonquin in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders

(A) Texas Eastern and Algonquin are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further*, That the admission of said interveners shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on July 3, 1973, at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Apache in its application filed herein on April 4, 1973.

(C) On or before June 18, 1973, Apache and any supporting party shall file with the Commission and serve upon all parties, including Commission staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—see Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL]

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11111 Filed 6-4-73; 8:45 am]

[Docket No. CI73-699]

APACHE EXPLORATION CORP.

Order Granting Intervention, Setting Hearing Date and Prescribing Procedure

MAY 29, 1973.

On April 16, 1973, Apache Exploration Corp. (Apache) filed, as supplemented on April 23, 1973, an application in docket No. CI73-699 for a limited term certificate of public convenience and necessity with pregranted abandonment authority, pursuant to Order No. 431 and § 157.23 of the Commission's regulations under the Natural Gas Act, for the sale of gas to Transwestern Pipeline Co.

(Transwestern) from the Vici Field, Dewey County, Okla. (Hugoton Anadarko Area).

Specifically, Apache proposes to deliver all of its interest attributable to gas produced from the Crow No. 1 well for 1 year pursuant to a contract dated March 20, 1973. First month deliveries are estimated at 26,250 M ft³. The proposed rate of 54 cents (14.65 lb/in²a), subject to upward and downward British thermal unit adjustment, exceeds the applicable area base rate of 21.315 cents established by the Commission's opinion No. 586. Apache commenced deliveries to Transwestern from the Crow No. 1 well on April 1, 1973, pursuant to section 157.29 of the regulations. The 60-day emergency sale expires on May 31, 1973. The justification for the rate as well as other public interest issues should be presented on a full evidentiary record. Accordingly, we will set this matter for a formal, expeditious hearing.

A timely petition to intervene in favor of the application was received from Transwestern on May 4, 1973.

The Commission finds

(1) The intervention of Transwestern in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders

(A) Transwestern is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further*, That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on July 11, 1973, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Apache in its application filed herein on April 16, 1973, as supplemented on April 23, 1973.

(C) On or before June 29, 1973, Apache and any supporting party shall file with the Commission and serve upon all parties, including Commission staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—see Delegation of Au-

thority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL]

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11110 Filed 6-4-73;8:45 am]

[Docket No. CI73-697]

C. & K. PETROLEUM, INC.

Order Granting Intervention, Setting Hearing Date and Prescribing Procedure

MAY 29, 1973.

On April 16, 1973, C. & K. Petroleum, Inc. (C. & K.) filed an application in docket No. CI73-697 for a limited term certificate of public convenience and necessity with pregranted abandonment authority, pursuant to order No. 431 and § 157.23 of the Commission's regulations under the Natural Gas Act for the sale of gas to Transwestern Pipeline Co. (Transwestern) from acreage in Eddy County, N. Mex. (Permian Basin Area).

Specifically, C. & K. proposes to deliver up to 12,000 M ft³/d to Transwestern from its No. 1 Vandiver Com well for 1 year pursuant to a contract dated February 22, 1973. The proposed rate of 54.25c/M ft³ (14.65 lb/in²a), subject to upward and downward British thermal unit adjustment, exceeds the current ceiling price of 27 cents for the area. C. & K. commenced deliveries to Transwestern from the No. 1 Vandiver Com well on April 26, 1973, pursuant to § 157.29 of the regulations. The 60-day emergency sale expires on June 25, 1973.

The justification for the rate as well as other public interest issues should be presented in a full evidentiary record. Accordingly, we will set this matter for a formal, expeditious hearing.

A timely petition to intervene in favor of the application was filed by Transwestern on May 4, 1973.

The Commission finds

(1) The intervention of Transwestern in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders

(A) Transwestern is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; *And provided, further*, That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by

any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on July 9, 1973, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by C. & K. in the application filed April 16, 1973.

(C) On or before June 7, 1973, C. & K. and any supporting party shall file with the Commission and serve upon all parties, including Commission staff, their testimony and exhibits in support of their positions.

(D) An administrative law judge to be designated by the Chief Administrative Law Judge, see Delegation of Authority, 18 CFR 3.5(d), shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL]

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11112 Filed 6-4-73;8:45 am]

[Dockets Nos. RP71-18, etc.]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Further Postponement of Prehearing Conference

MAY 25, 1973.

On May 10, 1973, Commission Staff Counsel filed a motion for a further postponement of the prehearing conference as fixed by the notice issued March 14, 1973, in the above-designated matter. The motion states that neither Columbia Gas Transmission Corp. nor the Public Service Commission for the State of New York object to the extension of time requested.

Upon consideration, notice is hereby given that the prehearing conference scheduled in the above matter is postponed to June 6, 1973, at 10 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11105 Filed 6-4-73;8:45 am]

[Dockets Nos. CP73-78, CP73-132, CP73-135, CP73-148, CP73-205, CP73-230]

DISTRIGAS CORP. ET AL.

Order Requiring Application Filings

MAY 25, 1973.

On September 21, 1972, Distrigas Corp. (Distrigas) filed in docket No. CP73-78 an application pursuant to section 3 of the Natural Gas Act (Act) seeking authorization to import up to 2,570,000 m³

of liquefied natural gas (LNG) from Algeria to facilities located on Staten Island, N.Y., and in Everett, Mass., between July 1, 1973, and July 1, 1975. The application, and a motion filed in that docket on April 11, 1973, which is the subject of a separate order, contemplate that portions of the imported LNG would be sold for resale to customers located outside the States of New York and Massachusetts.

On November 17, 1972, Distrigas filed in docket No. CP73-132 an application pursuant to section 3 of the Act requesting authorization to import approximately 45 trillion British thermal units of LNG per year to Staten Island and Everett for 20 years. Distrigas is, according to the application, negotiating to sell the LNG to customers in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island.

Distrigas filed on November 20, 1972, in docket No. CP73-135 an application pursuant to section 7(c) of the Act seeking authorization to sell gas volumes the importation of which we authorized in our opinion No. 613, issued March 9, 1972, in *Distrigas Corp.*, dockets Nos. CP70-196 et al.¹ Distrigas proposes sales from Everett, Mass., to customers in New York, Connecticut, and Rhode Island.

Distrigas Pipeline Corp. filed in docket No. CP73-148 on November 29, 1972, an application seeking section 7(c) authorization to construct a pipeline under the Arthur Kill, between Staten Island and Woodbridge, N.J., to allow deliveries of imported gas volumes to New Jersey customers.

On February 1, 1973, Distrigas of New York Corp. (DONY) filed in docket No. CP73-205 an application pursuant to section 7(c) of the Act seeking authorization to sell for resale to New Jersey customers LNG Distrigas seeks to import in docket No. CP73-78.

On March 7, 1973, DONY filed in docket No. CP73-230 an application seeking authorization pursuant to section 7(c) of the Act to sell LNG, part of which Distrigas was authorized to import in our above-cited opinion No. 613, and part of which is the subject of the import application in docket No. CP73-132. Sales would be made from the Staten Island terminal to customers in New Jersey. The LNG would be transported by the pipeline Distrigas Pipeline Corp. proposes to build in docket No. CP73-148.

Our opinion No. 613, referred to above, authorized Distrigas to import LNG from Algeria to the same Staten Island, N.Y., and Everett, Mass., terminals involved in the applications discussed here. We declined in opinion No. 613 to take jurisdiction over the construction and operation of the proposed LNG terminal, storage and gasification facilities because, at that time, Distrigas proposed to operate primarily in intrastate commerce.

Distrigas' new applications make it clear that the completion of their

proposed operations has changed. New and increased sales to customers outside the States of importation, requiring, for example, construction of the proposed DONY pipeline connecting the Staten Island terminal with New Jersey customers, make it clear that the facilities being constructed on Staten Island, and, apparently, completed at Everett, are facilities to be used for the transportation of natural gas in interstate commerce and the sale of natural gas in interstate commerce for resale. We are, therefore, required by the provisions of the Natural Gas Act to exercise jurisdiction over the construction and operation of the Distrigas terminal, storage, and regasification facilities pursuant to section 7 of the Natural Gas Act. Accordingly, we hereby direct that Distrigas Corp., or an appropriate subsidiary thereof, file applications pursuant to section 7 of the Act for the construction and operation of their Staten Island and Everett terminal facilities. The applications discussed above will be considered in conjunction with such section 7 filings.

There are no controverted facts relating to the issue of jurisdiction. Accordingly, no hearing is necessary to resolve an issue of law.² If there were factual issues concerning jurisdiction, we would remand for a hearing.

The Commission finds

Implementation of the operations proposed by Distrigas Corp. and its affiliates in the above-docketed proceedings make Distrigas Corp. and those affiliates natural gas companies, whose facilities and operations are subject to the Commission's jurisdiction.

The Commission orders

Distrigas Corp. or appropriate affiliates thereof, shall file with the Commission applications pursuant to section 7 of the Natural Gas Act for authorization to construct and operate, as appropriate, their liquefied natural gas terminal, storage, regasification, and related facilities on Staten Island, N.Y., and Everett, Mass.

By the Commission.³

[SEAL]

MARY B. KMD,
Acting Secretary.

[FR Doc. 73-11113 Filed 6-4-73; 8:45 am]

[Docket No. CI73-682]

EXXON CORP.

Order Granting Intervention, Setting
Hearing Date and Prescribing Procedure

MAY 29, 1973.

On April 11, 1973, Exxon Corp. (Exxon) filed an application in docket No. CI73-682 for a limited term certificate of public convenience and necessity with pregranted abandonment authority, pur-

suant to order No. 431 and section 157.23 of the Commission's regulations under the Natural Gas Act for the sale of gas to Panhandle Eastern Pipe Line Co. (Panhandle from the Sooner Trend Field, Kingfisher County, Okla. (Hugoton Anadarko Area)).

Specifically, Exxon proposes to deliver up to 10,000 M ft³ per day to Panhandle from its C. W. Falkenstein No. 1 well for 1 year pursuant to a contract dated March 21, 1973. The gas would be delivered at a mutually agreeable point on Panhandle's existing line near the outlet of the Dover-Hennessey Gas Products plant in Kingfisher County, Okla. The proposed rate of 50 M ft³ (14.65 lb/in²a) exceeds the applicable area base rate of 21.35 cents established by the Commission's opinion No. 586. Exxon commenced emergency deliveries to Panhandle on April 3, 1973, pursuant to section 157.29 of the regulations. The 60-day emergency sale will expire on June 2, 1973. The justification for the rate as well as other public interest issues should be presented in a full evidentiary record. Accordingly, we will set this matter for a formal expeditious hearing.

A timely petition to intervene in favor of the application was filed by Panhandle on April 19, 1973.

The Commission finds

(1) The intervention of Panhandle in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders

(A) Panhandle is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene: *And provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on July 6, 1973 at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, DC 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Exxon in the application filed April 11, 1973.

(C) On or before June 26, 1973, Exxon and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their

² Cf. *Citizens for Allegan Co. v. F.P.C.*, 414 F.2d 1125 (D.C. Cir. 1969).

³ Dissenting statement of Commissioner Brooke filed as part of the original document.

¹ Rehearing denied in Commission Opinion No. 613-A, *Distrigas Corp.*, dockets Nos. CP70-196, et al., issued June 7, 1972.

testimony and exhibits in support of their positions.

(D) An administrative law judge to be designated by the Chief Administrative Law Judge—See delegation of authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11114 Filed 6-4-73;8:45 am]

[Docket No. E-8184]

KANSAS POWER & LIGHT CO.

Notice of Proposed Service Contract Renewal

MAY 25, 1973.

Take notice that the Kansas Power & Light Co. (KPL) on May 7, 1973, tendered for filing a proposed renewal of its service contract with the city of Scranton, Kans. The company states that this is a renewal of a similar contract dated July 3, 1963, and designated as KPL rate schedule FPC No. 63. KPL further states that there are no changes in rates or conditions of service and requests waiver of the Commission's notice requirements to allow for an effective date of May 7, 1973. The company indicates that the contract has been executed by both parties.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 4, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person desiring to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11106 Filed 6-4-73;8:45 am]

[Docket No. RP72-132]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Filing of Amended Stipulation and Agreement

MAY 29, 1973.

Take notice that on May 15, 1973, Natural Gas Pipeline Co. of America (Natural) filed a motion for leave to substitute an amended stipulation and agreement to terminate the proceedings in docket No. RP72-132 and requested Commission approval thereof. Natural states the amended agreement is the result of further settlement discussions among Natural, the Commission staff,

and interested parties in the above-entitled proceedings convened in light of the Commission's order issued April 10, 1973 in *Michigan-Wisconsin Pipe Line Company*, docket No. RP72-118.

The amended stipulation and agreement, among other things as more fully set forth therein, provides for two sets of rates—rates to be used for the purposes of determining refunds (set out in app. B to the stipulation and agreement) and prospective rates (set out in app. C to the stipulation and agreement) to be effective on the first day of the second month following the date upon which the amended settlement becomes effective, the latter rates being designed upon an unmodified Seaboard rate design basis. The amended stipulation and agreement further provides for changes in the prospective rates to track the cost of service effect of advance payments and research and development expenses and capital expenditures incurred by Natural.

Copies of the amended stipulation and agreement were served on all parties to the proceedings in docket No. RP72-132. Comments with respect to the proposed stipulation and agreement may be filed with the Commission on or before June 5, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-11101 Filed 6-4-73;8:45 am]

[Docket No. E-8185]

PACIFIC GAS & ELECTRIC CO.

Notice of Filing of Notice of Cancellation

MAY 29, 1973.

Take notice that Pacific Gas & Electric Co. (P.G. & E.) on May 7, 1973, tendered for filing a notice of cancellation of its rate schedule FPC No. 24 to become effective June 7, 1973. The filing is described in P.G. & E.'s letter of transmittal as follows:

Pacific Gas & Electric Co. (P.G. & E.) rate schedule FPC No. 24 consists of a letter agreement between P.G. & E. and the city and county of San Francisco (City) dated August 1, 1960, and three supplemental agreements dated April 13, 1967, November 28, 1967, and May 20, 1969, respectively. These agreements provide for the supply of supplemental power and energy by P.G. & E. to City for resale to certain customers assigned to City by P.G. & E. in order to utilize fully the output of City's hydroelectric generating plants.

Because City no longer has excess power and energy for these customers and has reassigned these customers to P.G. & E., the service provided under rate schedule FPC No. 24 is not now required. Attached is a copy of a letter agreement between City and P.G. & E. providing for the termination of the agreements filed as rate schedule FPC No. 24.

P.G. & E. states that copies of the filing were sent to the Public Utilities Commission of the city and county of San Francisco and the California Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice

and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 5, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-11102 Filed 6-4-73;8:45 am]

[Docket No. RP73-47]

SEA ROBIN PIPELINE CO.

Order Denying Application for Rehearing, Motion for Reinstatement of and Accepting Revised Tariff Sheets

MAY 25, 1973.

On September 29, 1972, Sea Robin Pipeline Co. (Sea Robin), tendered for filing revised tariff sheets to its FPC Gas Tariff, original volume Nos. 1 and 2. These tariff sheets contained proposed rate changes which the company indicated were necessary to compensate it for a jurisdictional revenue deficiency in its cost of service for the 12-month period ending June 30, 1972, as adjusted. By order issued November 13, 1972, the Commission accepted the tariff sheets for filing, but suspended their effectiveness until April 15, 1973, noting in the order that Sea Robin had included noncertificated facilities in its rate base, the Commission directed the company to file revised tariff sheets adjusting its rates to reflect elimination of noncertificated facilities to the extent these facilities were not placed in service prior to April 15, 1973, and also directed the company to file supplemental cost and revenue data reflecting the elimination of such facilities. The Commission also advised Sea Robin, in the November 13 order, that to the extent that the commodity component of Sea Robin's two-part rates and its straight line rate claimed do not recover fully allocated Seaboard costs, as may be determined by the proceeding in this docket, the company may be required to absorb the impact of any undercollections under the rates as may occur.

In purported compliance with the Commission's November 13 order, Sea Robin filed supplemental cost and revenue data on March 13, 1973, to reflect the exclusion of facilities which would not be in service by April 15, 1973, along with certain other adjustments and changes known to occur prior to March 15, 1973. To reflect these adjustments in the proposed rates, Sea Robin submitted on March 14, 1973, two sets of revised tariff sheets. The "Alternate Revised Proposed Tariff Sheets" utilized the fixed and variable cost classification and allocation technique used in the September 29, 1972 filing, while the "Revised Proposed Tariff Sheets" contained a rate design purported to be in accord with the principals of Atlantic Seaboard.

By order issued April 13, 1973, the Commission rejected Sea Robin's "Revised Proposed Tariff Sheets," while accepting the "Alternate Revised Proposed

Tariff Sheets" for filing. The Commission noted that the rejected sheets did not reflect an unmodified Seaboard rate design, but rather included in the demand component approximately \$3.8 million of costs which are classified as commodity costs under the unmodified Seaboard approach. The Commission further noted that the fixed costs that were transferred from the demand component of the rate would be designated as a "transportation charge" under the commodity component and includes a 57 percent minimum monthly bill to guarantee Sea Robin the recovery of the fixed costs shifted to commodity. Since the tariff sheets did not reflect unmodified Seaboard rate design and raised issues not presented by the company's initial filing, the Commission rejected the sheets.

On April 25, 1973, Sea Robin filed an "Application for Rehearing and Motion for Reinstatement of Revised Tariff Sheets or, Alternatively, for Acceptance of Substitute Revised Tariff Sheets." Also submitted for filing were two sets of "New Alternate Revised Proposed Tariff Sheets," set A and set B. On May 1, 1973, Alabama Gas Corp. (Alabama) filed an answer to the Sea Robin application and motion in which Alabama stated that it commenced billing on May 1, 1973, on the basis of the revised rates accepted by the Commission, due to the fact that Alabama buys from a Sea Robin customer. Alabama claims great hardship would result if the Commission were to accept Sea Robin's application and place into effect retroactively to April 15, 1973, tariff sheets reflecting a substantially different rate design. Alabama requests that, if the Commission should accept either set of "New Alternate Revised Proposed Tariff Sheets," the rates should not be made effective until 45 days after the Commission's order accepting the revised rates.

In its application and motion, Sea Robin states that the rejected tariff sheets incorporated the Seaboard approach altered only so far as necessary to comply with the company's new Bank credit agreement which Sea Robin indicates requires recovery of a minimum monthly amount from the demand charge. The company further states that 57 percent minimum monthly commodity charge provision specifically mentioned in the April 13 order, while a new feature, did not "raise issues not presented by Sea Robin's initial filing" because it was merely a restatement of the minimum fixed cost recovery implicit in the existing Sea Robin rate design to carry that provision over to the demand-commodity rates. The company argues that since the minimum commodity charge was no longer an implicit element of the rate design, it was necessary to state the minimum commodity charge as a separate tariff provision. Sea Robin indicates that the Commission has

erred in rejecting the "Revised Proposed Tariff Sheets" for the aforementioned reasons, and further states that there is nothing in the Natural Gas Act, or the Commission's regulations thereunder, which requires a pipeline company to file tariff sheets reflecting an Atlantic Seaboard rate design as a prerequisite for their acceptance.

We quite agree that there is nothing in the Natural Gas Act or the Commission's regulations thereunder which requires a pipeline company to file tariff sheets reflecting a Seaboard rate design as a prerequisite for their acceptance. We note that both the tariff sheets filed by Sea Robin in its September 29, 1972, filing, and the "Alternate Revised Proposed Tariff Sheets" proffered by the company on March 14, 1973, were accepted for filing by the Commission despite the fact that neither reflected a Seaboard rate design. This Commission simply saw no reason to accept the "Revised Proposed Tariff Sheets" in our April 13 order. These sheets not only failed to meet the requirements of a Seaboard rate design but also raised new issues by the inclusion of a 57-percent minimum monthly bill to guarantee Sea Robin the recovery of the fixed costs shifted to commodity. It must be assumed that the sales projections of Sea Robin represent its best estimate of future sales and will enable the company to recover its fixed costs. As to the "tilting" of the rate design to meet the requirements of the company's new bank credit agreement, we note that Sea Robin's new bank credit agreement contains provisions which would allow alternate methods, subject to creditor approval, of designing rates adequate to amortize the loans in accordance with the terms of the credit agreement. We stated in the Michigan-Wisconsin case² that " . . . the minimum rate design acceptable to this Commission shall be the unmodified Seaboard rate design." [Emphasis added.] We are very much indisposed to allow our policy of encouraging the pricing of natural gas more in line with costs, and thus removing the discount which tilted rates were intended to produce, to be thwarted by the credit arrangements of individual companies. We believe our policy is vital to the public interest during an energy crisis period and that meeting the requirements of this policy will not be an undue hardship for the company. We can find no compelling reason to reverse our order of April 13 rejecting the "Revised Proposed Tariff Sheets."

Along with the application and motion, Sea Robin filed "New Alternate Revised Proposed Tariff Sheets" which have been designated set A and set B. The company states that both sets reflect an "unmodified Seaboard" rate design, while only set A includes, for transportation rate schedules (rate schedules X-3, X-4, and X-6), a minimum commodity charge provision. Both sets delete the

57 percent minimum commodity charge provision previously discussed. Sea Robin urges the Commission to accept set A as a necessary protection in the transportation rate schedules to assure that the company's pipeline transport customers pay their fair share of the costs, since the customers, according to Sea Robin, have an absolute call on its capacity at any time up to the amount of their respective contract demands, with no minimum throughput obligation. Again, we must state our belief that adequate protection as to the collection of fixed costs will be afforded under a Seaboard rate design if sales volumes are realistically projected. We shall therefore reject set A and accept set B as meeting the requirements of Atlantic Seaboard and as eliminating the problem of undercollections which is found in the "Alternate Revised Proposed Tariff Sheets" which were accepted by our April 13, 1973 order. As to the question of effective date of the "New Alternate Revised Proposed Tariff Sheets—set B," we do not believe that the answer of Alabama is persuasive in its suggesting that serious difficulties would arise if the sheets were given the requested retroactive effective date of April 15, 1973. We shall therefore accept the "New Alternate Revised Proposed Tariff Sheets—set B" in lieu of the "Alternate Revised Proposed Tariff Sheets," which were accepted in our April 13 order, to be effective subject to refund pending the outcome of the proceeding in this docket, as of April 15, 1973.

The Commission finds

(1) The application for rehearing of Sea Robin raises no new facts or points of law which were not considered in our order of April 13, 1973, and which would warrant the modification of that order.

(2) The motions of Sea Robin to reinstate the "Revised Proposed Tariff Sheets," or alternatively, to accept the "New Alternate Revised Proposed Tariff Sheets," set A, should be denied for the reasons stated herein.

(3) The motion of Sea Robin to accept "New Alternate Revised Proposed Tariff Sheets," set B, should be granted.

(4) The "New Alternate Revised Proposed Tariff Sheets," set B, should be accepted for filing to become effective, subject to refund, as of April 15, 1973.

The Commission orders

(A) The application for rehearing of Sea Robin is denied and Sea Robin's motion to reinstate the "Revised Proposed Tariff Sheets" is denied.

(B) Sea Robin's motion to accept and place in effect the "New Alternate Revised Proposed Tariff Sheets," set A, is denied.

(C) Sea Robin's "New Alternate Revised Proposed Tariff Sheets," set B, are hereby accepted for filing, in lieu of the "Alternate Revised Proposed Tariff Sheets" which were accepted in our April 13 order, to become effective, subject to refund pending the outcome of the proceeding in this docket, as of April 15, 1973.

¹ Sea Robin Pipeline Co., Docket No. RP73-47, order issued Apr. 13, 1973, p. 2.

² Michigan-Wisconsin Pipeline Co., Docket No. RP72-118, order issued, Apr. 10, 1973, p. 5.

(D) The Secretary shall cause prompt publication of this order in the **FEDERAL REGISTER**.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.11115 Filed 6-4-73;8:45 am]

[Docket No. CI73-661]

TENNECO OIL CO.

Order Granting Intervention, Setting Hearing Date, and Prescribing Procedure

MAY 29, 1973.

On April 2, 1973, Tenneco Oil Co. (Tenneco) filed an application in docket No. CI73-661 for a limited term certificate of public convenience and necessity with pregranted abandonment authority, pursuant to order No. 431 and § 157.23 of the Commission's regulations under the Natural Gas Act for the sale of gas to Northern Natural Gas Co. (Northern) from acreage in Hemphill County, Tex., Railroad District No. 10 (Hugoton Anadarko area).

Specifically, Tenneco proposes to deliver 5,000 M ft³ per day to Northern from its Fred A. Hobart No. 1 well for 1 year pursuant to a contract dated February 15, 1973. The proposed rate of 50.525 cents (14.65 lb/in²a), inclusive of 3.525 cents tax reimbursement, is subject to upward and downward British thermal unit adjustment and exceeds the applicable area base rate of 21.5 cents established by the Commission's opinion No. 586. Tenneco commenced emergency deliveries to Northern from the subject well on April 11, 1973, pursuant to § 157.29 of the regulations. The 60-day emergency sale will expire on June 10, 1973. The justification for the rate as well as other public interest issues should be presented in a full evidentiary record. Accordingly, we will set this matter for a formal expeditious hearing.

A timely petition to intervene in favor of the application was filed by Northern on April 19, 1973.

The Commission finds

(1) The intervention of Northern in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders

(A) Northern is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further*, That the admission of said intervenor shall not be construed as recognition by the Com-

mission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on July 5, 1973, at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Tenneco in the application filed April 2, 1973.

(C) On or before June 25, 1973, Tenneco and any supporting party shall file with the Commission and serve upon all parties, including Commission staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—see delegation of authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11116 Filed 6-4-73;8:45 am]

[Docket No. CP70-122]

TENNESSEE GAS PIPELINE CO.

Notice of Proposed Changes in FPC Gas Tariff

MAY 25, 1973.

Take notice that Tennessee Gas Pipeline Co. (Tennessee), on April 27, 1973, tendered for filing proposed changes in its FPC gas tariff, sixth revised volume No. 2.

According to Tennessee, these sheets are being filed for the purpose of reflecting two amendatory agreements to rate schedule X-29, an exchange agreement between Trunkline Gas Co. (Trunkline) and Tennessee dated July 12, 1971, and March 29, 1973. Tennessee states that these amendments provide for (1) the addition of a new delivery point in Harris County, Tex., (2) the increase of daily exchange volumes, (3) the utilization of existing points of interconnection near Potomac, Ill., and (4) the extension of the term of the agreement.

The proposed effective date is May 28, 1973. Tennessee states that a copy of the filing was served upon Trunkline.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or

before June 4, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-11104 Filed 6-4-73;8:45 am]

[Docket No. CP61-79]

UNITED GAS PIPE LINE CO. AND TEXAS GAS TRANSMISSION CORP.

Notice of Petition To Amend

MAY 29, 1973.

Take notice that on April 23, 1973, United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La. 71101, and Texas Gas Transmission Corp., P.O. Box 1160, Owensboro, Ky. 42301, filed in docket No. CP61-79 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act on December 19, 1960 (24 FPC 1099), by authorizing an additional point of delivery of natural gas for exchange, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioners state that the additional point of delivery would be at the intersection of Consolidated Gas Supply Corp.'s Egan Pipeline with Transcontinental Gas Pipe Line Corp.'s Acadia Plant Lateral in Acadia Parish, La. They state further that the additional exchange point will allow for greater flexibility in making deliveries of gas by one party to the other in time of emergency or under other circumstances where such deliveries would be beneficial to fulfill the obligations of petitioners. This new delivery point is said to require the construction of no new facilities.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 15, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-11117 Filed 6-4-73;8:45 am]

[Docket No. E-8191]

WISCONSIN ELECTRIC POWER CO.**Notice of Proposed Amendment to
Interconnection Agreement**

MAY 29, 1973.

Take notice that Wisconsin Electric Power Co. (WEP) on May 14, 1973, tendered for filing a proposed amendment to its interconnection agreement dated December 23, 1969, between WEP and Wisconsin Public Service Corp. designated as WEP Rate Schedule FPC No. 30. The proposed amendment, according to the company, would: (1) Replace Service Schedule A—Reserved Power by Limited Term Power, (2) add a minimum charge of 17½ mills/kWh to compensate for Emergency Energy Service Schedule B, (3) make changes in Service Schedule D—Short Term Power, (4) give the option of returning equivalent energy in lieu of the payment of the compensation specified in Service Schedule F—General Purpose Energy, and (5) add a new point of interconnection. The company requests waiver of the notice requirements to allow for a May 1, 1973, effective date and states that the amended service schedules are the result of negotiations between the parties.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 4, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-11103 Filed 6-4-73;8:45 am]

[Docket No. E-8200]

WISCONSIN ELECTRIC POWER CO.**Notice of Proposed Amendment to
Interconnection Agreement**

MAY 25, 1973.

Take notice that Wisconsin Electric Power Co. (WEP) on May 14, 1973, tendered for filing a proposed amendment to its interconnection agreement dated June 3, 1965, between WEP and Madison Gas & Electric Co. designated as WEP Rate Schedule FPC No. 27. The proposed amendment, according to the company, would: (1) Replace Service Schedule A—Reserved Power by Limited Term Power, (2) add a minimum charge of 17½ mills/kWh to compensate for Emergency Energy, Service Schedule B, (3) make changes in Service Schedule D—Short Term Power, (4) give the option of payment of 110 percent of the supplying party's out-of-pocket cost in

lieu of returning Maintenance Energy Service Schedule E, (5) returning equivalent energy in lieu of the payment of the compensation specified in Service Schedule F—General Purpose Energy, and (6) removal of the reference to the supplying party's power report in the description of average cost as specified in Service Schedule G—Long Term Power. The company requests waiver of the notice requirements to allow for a May 1, 1973, effective date and states that the amended service schedules are the result of negotiations between the parties.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 4, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KMD,
Acting Secretary.

[FR Doc.73-11107 Filed 6-4-73;8:45 am]

FEDERAL RESERVE SYSTEM**ALABAMA FINANCIAL GROUP, INC.****Application To Engage in the Underwriting
of Credit Life and Credit Accident and
Health Insurance**

Alabama Financial Group, Inc., Birmingham, Ala., has applied pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's regulation Y, for permission to acquire voting shares of Southern States Life Insurance Co., Birmingham, Ala., a de novo corporation. Notice of the application was published on April 1, 1973, in The Birmingham News, a newspaper circulated in Birmingham, Ala.

Applicant states that the proposed subsidiary would engage in the activities of a company underwriting credit life and credit accident and health insurance directly related to extensions of credit by applicant and its subsidiaries. Such activities have been specified by the Board in § 225.4(a) of regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competi-

tion, conflicts of interests, or unsound banking practices. Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 23, 1973.

Board of Governors of the Federal Reserve System, May 29, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11146 Filed 6-4-73;8:45 am]

BARNETT BANKS OF FLORIDA, INC.**Acquisition of Banks**

Barnett Banks of Florida, Inc., Jacksonville, Fla., has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)) to acquire 90 percent or more of the voting shares of Delray Beach National Bank, Delray Beach, Fla., and 51 percent or more of the voting shares of Fidelity Bank of West Delray Beach, Delray Beach, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than June 23, 1973.

Board of Governors of the Federal Reserve System, May 29, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11145 Filed 6-4-73;8:45 am]

CROCKER NATIONAL CORP.**Order Approving Acquisition of
Schumacher Mortgage Co., Inc.**

Crocker National Corp., San Francisco, Calif., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the act and § 225.4(b) (2) of the Board's regulation Y, to acquire the voting shares of Schumacher Mortgage Co., Inc., Memphis, Tenn. (Schumacher), a company that engages primarily in the following activities.

1. Making or acquiring real estate loans for its own account and for the account of others,

2. Servicing real estate loans for its own account or for the account of others, and

3. Acting as an insurance agent or broker selling casualty, group credit life, and group credit disability insurance, related to the extension of credit by Schumacher and Schumacher's servicing activities. Such activities have been determined by the Board to be closely related to the business of banking (12 CFR 225.4(a) (1), (3), and (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 28220). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the act (12 U.S.C. 1843(c)).

Applicant is a one-bank holding company by virtue of its ownership of Crocker National Bank (Bank), San Francisco, the 12th largest bank in the country and the fourth largest in California. Bank holds deposits of \$4.9 billion representing 8.4 percent of the total deposits of commercial banks in the State. (All banking data are as of June 30, 1972.) Bank operates 288 branches located throughout the State of California. Neither applicant nor any of its subsidiaries is engaged in the mortgage banking business. Bank does, however, engage in mortgage lending for its own account.

Schumacher (assets of \$21 million) engages primarily in originating or acquiring real estate loans for its own account and for the account of others and servicing real estate loans for its own account and for the account of others. Schumacher operates five offices located in Memphis, Chattanooga, Knoxville, and Kingsport, Tenn., and operates one office in Minneapolis, Minn. Schumacher's mortgage loan servicing portfolio totals \$296.1 million and is derived principally from its mortgage lending activities in Tennessee. Almost half of Schumacher's revenues are received from the Shelby County (Memphis), Tenn., area where Schumacher ranks seventh in terms of mortgage loans above \$6,000, representing approximately 5 percent of mortgage loans made in that market. Schumacher's share of mortgage loan activities in the other Tennessee markets in which it operates constitutes no more than 3 percent of the outstanding mortgage loans in those areas. Schumacher's office in Minneapolis, Minn., originated \$6.7 million in real estate loans in 1971 which represents less than 0.5 percent of the total of real estate loans made in that area.

Through Bank, applicant originates a substantial amount of mortgage loans throughout California for its own account. Its present real estate loan portfolio exceeds \$1.3 billion.¹ With the ex-

¹ In the nine county San Francisco Bay area, applicant's bank made \$262 million in real estate loans during the first 9 months of 1972, representing 5.5 percent of the total real estate loans made in this area during that period.

ception of approximately \$4 million of outstanding loans in the Minneapolis area, neither applicant nor any of its subsidiaries is engaged in any activities in any of the markets served by Schumacher and, therefore, no competition exists that would be eliminated as a result of consummation of the proposed acquisition. Due to the distances between applicant and Schumacher and the concentration of Schumacher's activities in Tennessee, it appears unlikely that either applicant or Schumacher would enter each other's market in the absence of the proposed transaction. It appears unlikely, therefore, that consummation of the proposal herein would eliminate any significant potential competition between applicant and Schumacher. The Board concludes that consummation of the proposed acquisition would have no adverse effects on mortgage lending in any of the markets served by either applicant or Schumacher.

In addition to its mortgage lending activities, Schumacher and two of its subsidiary companies act as insurance brokers and agents selling credit life, casualty and group credit disability insurance, related to extensions of credit by Schumacher and Schumacher's servicing activities. Schumacher's subsidiaries act also as agents with respect to various types of insurance purchased for Schumacher and offer "convenience" insurance which, it appears, would account for less than 5 percent of applicant's gross premium income (see § 225.4 (a) (9) (ii) (c) of the Board's regulation Y) and it appears also that no office of Schumacher is engaged to a significant extent in offering "convenience" insurance to the public. The insurance activities of Schumacher and its subsidiary companies, as presently conducted and as proposed to be conducted upon acquisition, appear to be of the kinds permitted by regulation Y.

Under Tennessee law, however, certain types of insurance activities are prohibited to be engaged in by brokers and agents who are "owned or controlled, directly or indirectly, by a bank holding company." Such agents are prohibited from negotiating "any policy of insurance covering real or personal property which is the subject matter of, or security for, a loan or extension of credit made by the holding company or any bank which is owned or controlled directly or indirectly, by such bank holding company." Specifically exempted are "sales of credit life, credit accident and health insurance, and comprehensive physical damage insurance on motor vehicles, mobile homes, and recreational vehicles." (Sections 56-721 to 56-724 of the Tennessee Code.)

With respect to the insurance activities that would be engaged in by applicant in Tennessee after its acquisition of Schumacher, the National Association of Insurance Agents and the Insurers of Tennessee, in commenting on the proposed acquisition, contend that the Tennessee statute would prohibit Schumacher, as a subsidiary of applicant, from engaging in certain types of insurance activities in Tennessee. Applicant has responded to these contentions by

stating its belief that the insurance activities as are now being engaged in by Schumacher are permissible under Tennessee law, and would continue to be permissible after the proposed acquisition, in view of the statutory exemption for credit life, credit accident and health insurance. Applicant contends further that the State statute has no applicability to the insurance activities of a non-bank subsidiary of the holding company, such as Schumacher.

The Tennessee statute specifically exempts the sale of credit life insurance, credit accident and health insurance and certain types of comprehensive physical damage insurance, and applicant has given assurances that Schumacher itself is, and will continue to be, engaged in only those insurance activities that are specifically permitted by the Tennessee statute. The insurance agency subsidiaries of Schumacher, on the other hand, sell insurance with coverage broader than that sold by Schumacher directly. Certain of Schumacher's subsidiary insurance agency activities appear to relate to real or personal property and would appear to be prohibited by the Tennessee statute if Schumacher is acquired by applicant. Applicant has indicated its intention to engage through Schumacher only in those insurance activities permitted by the Board and State law and to discontinue immediately any activities determined to be prohibited by State law. To this end, applicant has pledged to undertake to obtain a determination as to the permissibility of those insurance activities of Schumacher not specifically exempted from the limitation on insurance activities contained in the Tennessee statute, by commencing an action for declaratory relief in the Tennessee courts within 30 days after consummation of applicant's acquisition of Schumacher. Because the statute in question has been law for less than 1 year and has not been interpreted either by the Commissioner of Insurance for Tennessee, or by State courts, the Board views applicant's undertaking to seek a determination in the Tennessee courts as to the effect of the statute, as the most effective means of defining those insurance activities permitted to be engaged in by Schumacher in Tennessee, upon acquisition by applicant. Accordingly, the Board's action on applicant's proposal herein is conditioned upon applicant, after consummation of the proposed acquisition, not engaging in Tennessee in the sale of insurance other than those kinds specifically exempted from the statutory prohibition. In addition, it is understood that it is applicant's intention, within 30 days after consummation of the proposed acquisition, to seek a determination in the Tennessee courts with respect to those insurance activities not specifically exempted from the Tennessee statute.²

In addition to its mortgage banking and related insurance activities, Schu-

² Upon receipt of a determination by Tennessee authorities that insurance activities (other than those specifically exempted under the State statute) would be permissible to be engaged in by applicant, applicant may reapply to the Board for permission to engage those additional activities.

macher acts as a real estate broker and agent in listing and selling residential properties, provides management services for owners of certain income-producing properties and is engaged also in real estate development activities with respect to parcels of land in Tennessee. The Board has determined in previous cases that real estate brokerage and development activities and property management activities are generally not so closely related to banking or managing or controlling banks as to be a proper incident thereto and, therefore, are not permitted to be engaged in by a bank holding company. Applicant has stated that upon consummation of the proposal herein, applicant will cause Schumacher to discontinue all property management and real estate activities (except those real estate brokerage activities with respect to properties acquired by Schumacher as a result of defaulted loans extended by Schumacher) and the Board's action on applicant's proposed acquisition of Schumacher is conditioned upon the termination by Schumacher of its impermissible nonbanking activities at the earliest date possible, but in no event later than 1 year from the effective date of this order.³

It is anticipated that consummation of the proposed acquisition would enhance the ability of Schumacher to provide an increased quantity of mortgage funds in those areas in which it presently operates and should increase the likelihood of Schumacher expanding the scope of its mortgage lending activities into new markets. As a subsidiary of applicant, Schumacher will have available to it a continuing source of managerial and technical expertise to strengthen its competitive role in its present and future markets.

Based upon the foregoing and other considerations reflected in the record, including the conditions stated herein, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of State law and the Bank Holding Company Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

³As originally filed with the Board, applicant's application contained a proposal to engage in the business of property management with respect to Government subsidized low and moderate income housing projects and to provide management services with respect to properties which are subject to permanent loans being serviced by Schumacher. Subsequently, applicant voluntarily withdrew its request to engage in all property management activities and applicant has determined instead to discontinue rendering all property management services now provided by Schumacher.

By order of the Board of Governors,⁴ effective May 10, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.
[FR Doc. 73-11140 Filed 6-4-73; 8:45 am]

FIDELITY CORP. OF PENNSYLVANIA Order Approving Acquisition of Local Finance Corp.

Fidelity Corp. of Pennsylvania, Rosemont, Pa., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the act and § 225.4(b)(2) of the Board's regulation Y, to acquire all of the voting shares of Local Finance Corp., Providence, R.I. (Local), a company that engages, through its subsidiaries, in the activities of making consumer loans to individuals, including second mortgage loans where legally permitted; engaging in a general consumer finance business; selling credit life and credit health and accident insurance to its borrowers and casualty insurance on collateral securing such loans; and, through Master Life Insurance Co., a subsidiary of Local, reinsuring such credit life, health, and accident insurance sold. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1), (9), and (10)), except to the extent indicated hereinafter. In addition to the activities enumerated above, Local is also presently engaged, through a subsidiary, in the reinsuring of casualty insurance on household goods serving as collateral on loans made by subsidiaries of Local. Although originally a part of the instant application, the application was amended by Applicant to withdraw the request for approval of its indirect acquisition of Local's casualty reinsurance subsidiary; Applicant represents that such subsidiary will be divested by Local prior to consummation of the proposed transactions. This order therefore should not be construed as authorizing indirect acquisition of that subsidiary by Applicant nor has the Board considered whether the activities of that subsidiary are so closely related to banking or managing or controlling banks as to be a proper incident thereto.

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 10530). The time for filing comments and views has expired and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the act (12 U.S.C. 1843(c)).

Applicant controls one bank with aggregate deposits of \$1.4 billion representing 4.3 percent of commercial bank deposits in the State. (All banking data are as of June 30, 1972 adjusted to reflect bank holding company formations and

⁴Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Daane.

acquisitions approved through Mar. 31, 1973.)

Local performs management and accounting services for its operating subsidiaries and does not directly transact any business with the public. Sixty-six of its 68 operating subsidiaries are engaged in consumer finance company activities while the other two subsidiaries are engaged in the reinsurance of certain credit life and credit accident and health insurance policies, and the reinsurance of certain casualty insurance policies. Local's 66 loan subsidiaries operate from Rhode Island, Massachusetts, New Jersey, Pennsylvania, and North Carolina, and had total loans outstanding amounting to \$37.4 million as of December 31, 1971. The finance companies also act as agents for the sale of credit life insurance, credit accident and health insurance, and casualty insurance in connection with their extensions of credit.

Twenty-three of Local's consumer finance subsidiaries operate from offices in New Jersey and three additional subsidiaries maintain offices in Pennsylvania. Applicant does not engage in consumer finance company activities in Rhode Island, Massachusetts, or North Carolina; nor does there appear to be a substantial likelihood that it will engage de novo in these activities in those States. Applicant's lead bank operates in the Philadelphia banking market which includes the counties of Philadelphia and Delaware, as well as the eastern portion of Bucks, Montgomery, and Chester Counties and holds a personal loan portfolio totaling approximately \$96 million. Local's subsidiaries have offices in Pennsauken and Merchantville, N.J., in the Camden market and another office in the Trenton market, deriving total outstandings of \$2.1 million from those two markets. The proximity of these two markets to the Philadelphia banking market suggests the existence of some competition between Local and applicant's lead bank along the intervening market boundaries. Local's three Pennsylvania offices are located north and east of the Allentown-Bethlehem area and are not considered to be in competition with applicant's lead bank. Although there may be some overlap in the customers served by Local and applicant's banking subsidiary, it does not appear that consummation of the proposed acquisition would have a significantly adverse effect on competition for consumer loans in the Camden, Trenton, or Philadelphia markets, in view of the small amount of outstandings held by Local's subsidiaries in these areas and the great number of consumer loan sources present in those markets, including major consumer loan companies and banks. In view of the large number of existing competitors and potential entrants into these markets, consummation of the proposed transaction is not likely to have a significant adverse effect on future or potential competition even though applicant appears to possess the resources to enter those markets de novo. Nor does it appear that consummation will adversely affect the availability of lendable funds

to other consumer finance companies. Accordingly, the Board concludes that approval of the application insofar as it relates to the finance company subsidiaries of Local would not appear to have any significant adverse effect on existing or potential competition. The competitive effects of the proposed insurance agency activities are also regarded as consistent with approval of the application.

With respect to the proposed insurance agency activities of Local, the Board has taken increasing notice of a practice permitted in certain States whereby level term credit life insurance is sold in connection with installment lending. In such circumstances, the amount of life insurance coverage provided remains fixed while the balance of the outstanding loan decreases with the periodic repayments by the borrower. The additional coverage provided in excess of the outstanding balance does not provide any protection for the lender and is not generally related to the insurance needs of the borrower. Decreasing term life insurance is a readily available form of insurance which provides adequate protection for the lender. Under these circumstances, the Board does not regard the sale of level term credit life insurance in connection with installment lending as directly related to an extension of credit under § 225.4(a) (9) (ii) of regulation Y. This does not exclude limited sale of such insurance as a matter of convenience to the purchaser, so long as the premium income from such sale, when combined with the premium income derived from the sale of other "convenience" insurance by applicant or its subsidiaries, does not constitute a significant portion of the aggregate insurance premium income of applicant from insurance sold pursuant to § 225.4(a) (9) (ii) of regulation Y.

Local also engages in the activity of underwriting, as reinsurer, credit life, and credit accident and health insurance which is directly related to its extensions of credit, as well as the underwriting, as reinsurer, of level coverage insurance. Applicant does not presently engage in insurance underwriting activities and the proposed affiliation with applicant would appear to have no significant effects on competition within the underwriting industry. As indicated above, level coverage insurance is not considered to be directly related to an extension of credit. This being the case, § 225.4(a) (10) of regulation Y does not authorize the underwriting of such insurance.

In adding credit life underwriting to the list of permissible activities for bank holding companies, the Board stated that, "To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally such a showing would be made by a projected reduction in rates or increase in policy benefits due to bank

holding company performance of this service." (12 CFR 225.4(a) (10).) Applicant has stated that the proposed reinsurance subsidiary and the direct insurer, which issues the credit life and credit accident and health insurance policies made available by its lending subsidiaries, will reduce the rates charged for credit life insurance by 2 percent in Rhode Island, Massachusetts, and New Jersey, 15 percent in North Carolina, and by 3.33 percent per hundred dollars of indebtedness in Pennsylvania. Further, the suicide exclusion would be eliminated from the credit life insurance policies. In addition, six exclusions presently included in credit health and accident insurance policies reinsured by a subsidiary of Local would be eliminated. These related to the place of occurrence, military service-connected events, self-inflicted events, nonscheduled aircraft accidents, alcoholism and drug addiction, and preexisting health conditions; their exclusion will result in the payment of increased benefits to policyholders. It is the Board's judgment that these benefits to the public are consistent with approval of the application.

Applicant's greater access to financial resources may assure Local of more ready access to funds and enable it to become a more effective competitor, and thus increase public convenience and stimulate competition with affiliates of larger regional and national financial organizations active in the consumer finance company industry in the relevant markets. Further, Local's present management appears to have permitted, on at least two recent occasions, practices that are inconsistent with the public interest; the Board will expect applicant to either directly involve itself in, or exercise strict supervision over, the management of Local and that such involvement or supervision will have a corrective effect on Local's operations redounding to the benefit of the public. Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c) (8) is favorable with respect to the proposed finance company and certain of the insurance agency and underwriting activities.

Accordingly, the application is hereby approved, except to the extent that the application contemplates (1) reinsurance of level coverage insurance and (2) the sale of level coverage insurance, the gross commission income from which, would constitute, in the aggregate (when combined with other "convenience" insurance sold by applicant and its subsidiaries) an amount equal to 5 percent or more of the aggregate gross commission income of applicant and its subsidiaries deriving from the sale of insurance pursuant to § 225.4(a) (9) (ii) of regulation Y.

To that extent, the application is hereby denied and approval of the remainder of the application is expressly conditioned upon the discontinuation of the above-described level coverage insurance

reinsurance and sales activities by Local or its subsidiaries prior to, or upon, consummation of the proposed transaction. This determination is additionally subject to the conditions set forth in § 225.4(c) of regulation Y (12 CFR 225.4(c)) and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,¹ effective May 29, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11151 Filed 6-4-73;8:45 am]

FIRST NATIONAL CHARTER CORP.

Acquisition of Bank

First National Charter Corp., Kansas City, Mo., has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)), to acquire 100 percent of the voting shares (less directors' qualifying shares), of the successor by merger to American National Bank in Springfield, Springfield, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than June 20, 1973.

Board of Governors of the Federal Reserve System, May 29, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-11147 Filed 6-4-73;8:45 am]

FIRST VIRGINIA BANKSHARES CORP.

Order Approving Acquisition of Bank

First Virginia Bankshares Corp., Falls Church, Va., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) (3) of the Act (12 U.S.C. 1842(a) (3)), to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the First National Bank of Onancock, Onancock, Va. (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

¹ Voting for this action: Chairman Burns and Governors Daane, Brimmer, Sheehan, and Bucher. Absent and not voting: Governor Mitchell.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant, the sixth largest banking organization in Virginia, controls 21 banks with aggregate deposits of \$643 million, representing 6.6 percent of the total commercial bank deposits in Virginia. (All banking data are as of June 30, 1972, adjusted to reflect holding company acquisitions approved through March 31, 1973.) Acquisition of Bank (deposits of \$11.2 million) would not result in a significant increase in the concentration of banking resources in Virginia.

Bank controls 17.8 percent of the total deposits in the Accomack County market, making it the third largest of six banks located therein. Applicant's banking subsidiary nearest to Bank is 60 miles away across Chesapeake Bay and accessible conveniently by car only by means of the Chesapeake Bay Bridge Tunnel. In view of, among other things, the distance involved and expense of the tunnel and the impossibility under Virginia law for any of applicant's present banking subsidiaries to branch de novo into Accomack County, competition between Bank and any banking subsidiary of applicant does not exist at present and is unlikely to develop in the future. Accomack County does not appear to be an attractive area for de novo entry because the population of the county has been gradually declining for the past 20 years, and the economic growth potential of the area is limited at present. The Board concludes that the acquisition would have no significant adverse effects on the competitive situation or the concentration of banking resources in the area.

The financial and managerial resources and future prospects of applicant, its subsidiary banks and Bank are generally satisfactory and consistent with approval, especially in light of applicant's commitment to improve the capital position of several of its subsidiary banks and the injection of capital this acquisition will bring to Bank. The primary banking needs of the area are adequately served by the existing banks; but Bank, through affiliation with applicant, intends to furnish trust services presently demanded by its customers and new banking services as the need arises. Considerations relating to convenience and needs of the community are consistent with approval. It is the Board's judgment that the proposed transaction is in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months

after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Board of Governors,¹ effective May 25, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.
[FR Doc.73-11162 Filed 6-4-73;8:45 am]

SOUTHEAST BANKING CORP.

Order Approving Acquisition of Bank

Southeast Banking Corp., Miami, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Peoples Bank of Venice, Venice, Fla. ("Peoples Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls 21 banks with aggregate deposits of \$1.3 billion, representing 7.9 percent of the total bank deposits held by Florida commercial banks, and is the largest banking organization in the State. (All banking data are as of June 30, 1972 and reflect holding company formations and acquisitions approved through April 30, 1973.) The acquisition of Peoples Bank (deposits of \$13.3 million) would increase applicant's control of commercial bank deposits in Florida by one-tenth of 1 percentage point.

Peoples Bank is the smallest of three banks in the southern portion of Sarasota County² and holds 13.4 percent of total commercial bank deposits therein. The two other banks in the market each control over 40 percent of total market deposits and one is affiliated with the seventh largest banking organization in Florida. This acquisition would represent applicant's initial entry into the defined market area as well as into Sarasota County. Applicant's subsidiary bank nearest to Peoples Bank is approximately 30 miles away. In view of, among other things, the distances between Peoples Bank and each of applicant's present subsidiaries and the prohibition against branch banking in Florida, the Board concludes that consummation of this proposal would neither eliminate existing nor potential competition. It appears that affiliation with applicant will in-

crease the ability of Peoples Bank to compete with the two larger banks in the relevant market without having an undue adverse effect on either one.

The financial condition and management of applicant and its subsidiary banks are considered to be satisfactory in view of applicant's recent injection of additional equity capital into several of its subsidiaries; prospects for the group are favorable. The financial condition and managerial resources of Peoples Bank are considered to be satisfactory and its future prospects also appear favorable. Applicant will assist its proposed subsidiary in providing large commercial and real estate financing, in establishing a trust department and, generally, in improving the operations of Peoples Bank. Considerations relating to the convenience and needs of the communities to be served are consistent with approval. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,³ effective May 29, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.
[FR Doc.73-11149 Filed 6-4-73;8:45 am]

SOUTHEAST BANKING CORP.

Order Approving Acquisition of Bank

Southeast Banking Corp., Miami, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of the First National Bank of Maitland, Maitland, Fla. (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls 21 banks with aggregate deposits of \$1.3 billion, representing 7.9 percent of the total commercial bank deposits held by Florida banks, and is the largest banking organization

¹ Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Daane.

² The banking market is approximated by the southern half of Sarasota County.

³ Voting for this action: Chairman Burns and Governors Daane, Brimmer, Sheehan, and Bucher. Absent and not voting: Governor Mitchell.

in the State. (All banking data are as of June 30, 1972, and reflect holding company formations and acquisitions approved through April 30, 1973.) The acquisition of Bank (deposits of \$38.5 million) would increase applicant's control of commercial bank deposits in Florida by two-tenths of one percentage point and its ranking in the State would be unchanged.¹

Bank, serving several residential communities to the north of Orlando, is the seventh largest of 35 banks in the Orlando banking market² and controls 3.7 percent of total commercial deposits therein; the six largest banks are all subsidiaries of holding companies and a total of eight multibank holding companies (including applicant) are represented. The presence of these larger banks in the Orlando market makes it unlikely that applicant's acquisition of Bank could lead to applicant gaining a dominant position in the market. Applicant's only banking subsidiary in the market (Southeast National), located in the business district of Orlando, has deposits of \$14.5 million, representing 1.4 percent of market deposits, and it appears that no significant direct competition exists between it and Bank. Furthermore, the likelihood of significant future competition developing between Southeast National and Bank is remote in view of the number and size of intervening banks, the traffic congestion in downtown Orlando, and the relatively small size of the two banks. Applicant's nearest subsidiary outside the Orlando banking market is located 25 miles north of Bank and it appears that no significant existing competition would be eliminated between Bank and this or any other subsidiary of applicant.

One of applicant's nonbanking subsidiaries, Southeast Mortgage Co., Miami ("Company"), maintains an office in Orlando. From the facts of record, it appears that Bank and Company are not significant competitors³ and that the removal of Bank as a competitor to Company through approval of this application will not significantly improve Company's ability to compete for the origination or servicing of mortgage loans in the Orlando area.

¹ Applicant has filed separate applications to acquire 80 percent or more of the voting shares of Deland State Bank, Deland, and Peoples Bank of Venice, Venice, both in Florida. Affiliation of both banks would increase applicant's share of the total Florida commercial bank deposits to 8.3 percent, while its statewide competitive position would remain unaltered.

² The Orlando banking market is approximated by Orange County and the southern portion of Seminole County.

³ In addition to Company, 37 mortgage companies and 6 savings and loan associations maintain offices in the Orlando banking market. Residential mortgages originated by Company accounted for less than 2 percent of the estimated total residential mortgages originated in the Orlando SMSA. Bank does not make FHA or VA mortgage loans and it had less than \$250,000 in conventional residential mortgage loans outstanding on December 31, 1972.

The financial condition of applicant, its subsidiary banks, and Bank are considered to be satisfactory in view of recent injections of equity capital. Applicant's management is considered good while management of Bank is satisfactory. Future prospects for all are favorable. Applicant will assist Bank in providing real estate financing and in recruiting and training new management personnel. Applicant also intends to increase the interest paid on regular savings accounts. Convenience and needs factors are consistent with and lend some support toward approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,⁴
effective May 29, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11150 Filed 6-4-73; 8:45 am]

SOUTHEAST BANKING CORP.

Order Denying Acquisition of Bank

Southeast Banking Corp., Miami, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Deland State Bank, Deland, Fla. (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls 21 banks with aggregate deposits of \$1.3 billion, representing 7.9 percent of the total commercial bank deposits held by Florida banks, and is the largest banking organization in the State. (All banking data are as of June 30, 1972, and reflect holding company formations and acquisitions approved through April 30, 1973.) The acquisition of Bank (deposits of \$20.6 million) would increase applicant's control of commercial bank deposits in Florida by one-tenth of 1 percentage point and accordingly would not

result in a significant increase in concentration of banking resources in the State.¹

Bank is the second largest of five banks in the relevant banking market (approximated by the western portion of Volusia County) and controls 19 percent of total market deposits. Applicant's existing subsidiary in the market, Southeast Bank of Deltona (Deltona Bank), with deposits of \$11.1 million, is the fourth largest bank therein holding 10 percent of the total commercial deposits. Approval of this application would increase applicant's share in the market from 10 to 29 percent and while this would not give applicant a dominant position,² it would substantially increase concentration in the market. (The three largest organizations control 80 percent of market deposits; approval of this application would increase the amount to 89 percent.)

The record reveals that there is no existing competition between Bank and any of applicant's subsidiaries located outside the relevant banking market. As far as competition within the market is concerned, it appears that the respective service areas of Bank and Deltona Bank (applicant's subsidiary) do not presently overlap. However, there is evidence indicating that both banks compete directly with respect to the residents of Orange City (population of 1,772), a community without a banking facility that is located approximately midway between Bank and Deltona Bank. Consummation of the proposal would eliminate this existing competition as well as the possibility of strong competition developing between them in the future.

The acquisition of Bank by a banking organization not presently represented in the west Volusia County banking market could have a beneficial effect on competition in this area. The Board therefore finds that it is likely that the proposed acquisition would have significant adverse effects on competition in the relevant banking market by increasing deposit concentration and removing a banking alternative therein, by eliminating some existing competition and the possibility that strong future competition would develop between Bank and applicant's Deltona subsidiary, and by foreclosing the possibility that Bank could serve as a potential means of entry by other banking organizations not presently represented in the market. Accordingly, competitive considerations require denial of this application unless the anti-competitive effects of the proposal are

¹ Applicant has filed separate applications to acquire 80 percent or more of the voting shares of the First National Bank of Maitland, Maitland, and Peoples Bank of Venice, Venice, both in Florida. Affiliation of both banks would increase applicant's share of the total Florida commercial bank deposits to 8.3 percent, while its statewide competitive position would remain unaltered.

² Barnett Bank of Deland, N.A. (deposits of \$50.4 million), a subsidiary of Barnett Banks of Florida, is the largest organization in the market with 46 percent of market deposits.

⁴ Voting for this action: Chairman Burns and Governors Daane, Brimmer, Sheehan, and Bucher. Absent and not voting: Governor Mitchell.

outweighed by benefits to the public in meeting the convenience and needs of the communities to be served.

The financial condition of applicant and its subsidiaries are considered to be satisfactory in view of recent injections of equity capital; management is good and future prospects are favorable. The financial condition and managerial resources of Bank are generally satisfactory and prospects for its future growth are favorable. Thus, banking factors are consistent with approval but provide no significant support for such action.

The banking needs of the relevant communities are presently being met by the existing banks, and applicant states that it does not propose to introduce any services that are not currently available. Consummation of the proposed transaction, therefore, would have little impact on the convenience and needs of banking customers in the area. Accordingly, considerations relating to the convenience and needs of the communities to be served do not outweigh the adverse competitive effects of the proposal. It is the Board's judgment that consummation of the proposed acquisition would not be in the public interest and that the application should be denied.

On the basis of the record, the application is denied for the reasons summarized above.

By order of the Board of Governors,* effective May 29, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11148 Filed 6-4-73;8:45 am]

UNITED CAROLINA BANCSHARES CORP. Proposed Acquisition of Prudential Credit Corporation of Sanford

United Carolina Bancshares Corp., Whiteville, N.C., has applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to acquire the assets of Prudential Credit Corp. of Sanford, Sanford, N.C. Notice of the application was published on April 12, 1973, in the Sanford Daily Herald, a newspaper circulated in Lee County, N.C.

Applicant states that the proposed subsidiary would engage in the business of making loans with a cash advance of \$900 or less, all to be repaid in installments, and would act as an agent in the office of Prudential Credit Corp. of Sanford with respect to insurance directly related to the extension of credit, including specifically credit life and credit accident and health insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

* Voting for this action: Chairman Burns and Governors Daane, Brimmer, Sheehan, and Bucher. Absent and not voting: Governor Mitchell.

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 21, 1973.

Board of Governors of the Federal Reserve System, May 25, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-11153 Filed 6-4-73;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

ROCHESTER & PITTSBURGH COAL CO.
AND WESTMORELAND COAL CO.

Applications for Renewal Permits, Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Interim Mandatory Dust Standard (2.0 mg/m³) have been received as follows:

- (1) ICP Docket No. 20534, Rochester & Pittsburgh Coal Co., Jane No. 1 & 2 Mine, USBM ID No. 36 00823 0, Indiana, Pa.:
 - Section ID No. 017-0 (4 Butt 2 Left Jane 1).
 - Section ID No. 024-0 (East Mains Jane 1).
 - Section ID No. 037-0 (Jane 1 Mains).
 - Section ID No. 039-0 (Jane 3 Mains Jane 1).
 - Section ID No. 040-0 (Jane 3 Mains Jane 1).
 - Section ID No. 056-0 (2 West Jane 2).
 - Section ID No. 057-0 (2 East Jane 1).
 - Section ID No. 059-0 (6 Butt 2 East 2 South "0" Right Jane 1).
 - Section ID No. 065-0 (3 East Jane 1).
 - Section ID No. 073-0 (4 East Jane 1).
 - Section ID No. 077-0 (2 Left Jane 2).
 - Section ID No. 078-0 (2 Left Jane 2).
 - Section ID No. 079-0 (2 Right Jane 2).
 - Section ID No. 081-0 (5 West Jane 1).

- (2) ICP Docket No. 20344, Westmoreland Coal Co., Eccles No. 5 Mine, USBM ID No. 46 01516 0, Eccles, W. Va.:
 - Section ID No. 004 (2nd Right off 4 mains).
 - Section ID No. 009 (A panel).
 - Section ID No. 012 (B panel).
 - Section ID No. 013 (North headings).
 - Section ID No. 014 (7½ Left).
 - Section ID No. 015 (North west headings).
- (3) ICP Docket No. 20345, Westmoreland Coal Co., Eccles No. 6 Mine, USBM ID No. 46 01514 0, Eccles, W. Va.:
 - Section ID No. 007 (1st North back, B panel).
 - Section ID No. 010 (C panel).
 - Section ID No. 011 (2nd left off of 2nd north).
 - Section ID No. 012 (11 Right panel).
 - Section ID No. 013 (B panel).
- (4) ICP docket No. 20347, Westmoreland Coal Co., Winding Gulf No. 4 Mines, USBM ID No. 46 01515 0, East Gulf, W. Va.:
 - Section ID No. 020 (Lee Norse Miner—1st right off of first left).
 - Section ID No. 018 (Lee Norse Miner—1st panel off of first mains).

In accordance with the provisions of section 202(b) (4) (30 U.S.C. 842(b) (4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be filed in accordance with 30 CFR part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

MAY 31, 1973.

[FR Doc.73-11129 Filed 6-4-73;8:45 am]

OFFICE OF EMERGENCY PREPAREDNESS

ARKANSAS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Arkansas, dated April 27, 1973, and published May 3, 1973 (38 FR 11013), amended May 8, 1973, and published May 14, 1973 (38 FR 12636), and amended May 15, 1973, and published May 21, 1973 (38 FR 13401), is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 27, 1973:

The counties of:

Calhoun	Hempstead
Cleveland	Hot Spring
Cross	Izard
Dallas	Pike

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

Dated May 30, 1973.

DARRELL M. TRENT,
Acting Director,
Office of Emergency Preparedness.

[FR Doc.73-11131 Filed 6-4-73;8:45 am]

ARKANSAS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Arkansas, dated April 27, 1973, and published May 3, 1973 (38 FR 11013), amended May 8, 1973, and published May 14, 1973 (38 FR 12636), amended May 15, 1973, and published May 21, 1973 (38 FR 13401), and amended May 30, 1973, is hereby further amended to include the following city among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 27, 1973:

The city of: Pine Bluff

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

Dated May 30, 1973.

DARRELL M. TRENT,
Acting Director,
Office of Emergency Preparedness.

[FR Doc.73-11136 Filed 6-4-73;8:45 am]

FLORIDA

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744); notice is hereby given that on May 26, 1973, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Florida from severe storms and flooding, beginning about April 1, 1973, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Florida. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606) I hereby appoint Mr. William C. McMillen, Regional Director, OEP Region 4, to act as the Federal coordinating officer to perform the duties specified by section 201 of that act for this disaster.

I do hereby determine the following areas in the State of Florida to have been adversely affected by this declared major disaster.

The counties of:

Baker	Leon
Columbia	Levy
Dixie	Madison
Glachrist	Nassau
Hamilton	Suwannee
Jefferson	Wakulla
Lafayette	

(Catalog of Federal domestic assistance program No. 50.002, disaster assistance.)

Dated May 30, 1973.

DARRELL M. TRENT,
Acting Director,
Office of Emergency Preparedness.
[FR Doc.73-11138 Filed 6-4-73;8:45 am]

ILLINOIS

Amendment to Notice of Major Disaster

Notice of major disaster for the State of Illinois, dated April 27, 1973, and published May 3, 1973 (38 FR 11013), amended May 4, 1973, and published May 10, 1973 (38 FR 12260) and amended May 14, 1973, and published May 18, 1973 (38 FR 13063), is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 26, 1973:

The counties of:
Gallatin Pope

(Catalog of Federal domestic assistance program No. 50.002, disaster assistance.)

Dated May 30, 1973.

DARRELL M. TRENT,
Acting Director,
Office of Emergency Preparedness.
[FR Doc.73-11135 Filed 6-4-73;8:45 am]

KANSAS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Kansas, dated May 4, 1973, and published May 9, 1973 (38 FR 12171), is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 2, 1973:

The counties of:	Osage
Douglas	Republic
Franklin	Wabaunsee
Greenwood	Woodson
Leavenworth	Wyandotte
McPherson	

(Catalog of Federal domestic assistance program No. 50.002, disaster assistance.)

Dated May 30, 1973.

DARRELL M. TRENT,
Acting Director,
Office of Emergency Preparedness.
[FR Doc.73-11137 Filed 6-4-73;8:45 am]

RAILROAD RETIREMENT BOARD

RAILROAD RETIREMENT TAX ACT

Determination of Quarterly Rate of Excise Tax for Railroad Retirement Supplemental Annuity Program

In accordance with directions in section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C. 3221(c)) as amended by section 5(a) of Public Law 91-215, the Railroad Retirement Board has determined that the excise tax imposed by such section 3221(c) on every employer, with respect to having individuals in his employ, for each man-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning July 1, 1973, shall be at the rate of 7½ cents.

Dated May 25, 1973.

By authority of the Board.

[SEAL] R. F. BUTLER,
Secretary of the Board.

[FR Doc.73-11139 Filed 6-4-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

BBI, INC.

Order Suspending Trading

MAY 24, 1973.

The common stock, 10 cents par value, of BBI, Inc., being traded on the American Stock Exchange and the PBW Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from 10 a.m., e.d.t., May 24, 1973, through June 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-11155 Filed 6-4-73;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 20, 1973.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock, 10 cents par value, of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 30, 1973, through June 8, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-11156 Filed 6-4-73;8:45 am]

[File No. 500-1]

WESTGATE-CALIFORNIA CORP.

Order Suspending Trading

MAY 18, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the class A common stock (\$5 par value), class B common stock (\$5 par value), 6 percent cumulative preferred (\$10 par value), 5 percent cumulative preferred (\$70 par value), 6½ percent convertible subordinated debentures due 1987, 6 percent subordinated debentures due 1979 and all other securities of Westgate-California Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors.

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from May 21, 1973, through May 30, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-11157 Filed 6-4-73;8:45 am]

[File No. 500-1]

JEROME MACKEY'S JUDO, INC.

Order Suspending Trading

MAY 29, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, and all other securities of Jerome Mackey's Judo, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this

order to be effective for the period from May 30, 1973, through June 8, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-11154 Filed 6-4-73;8:45 am]

[File No. 24SF-3979]

UNITED AUTO AUCTION SYSTEMS, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 29, 1973.

I. United Auto Auction Systems, Inc., 1417 South Figueroa Street, Los Angeles, Calif. 90015 (Auction), filed a notification on form 1-A and offering circular with the San Francisco branch office on December 18, 1972. This filing related to a proposed offering of 100,000 shares of Auction's common stock at \$5 per share for an aggregate offering price of \$500,000. The purpose of this filing was to obtain an exemption from the registration requirements of the Securities Act of 1933 pursuant to the provisions of section 3(b) and regulation A promulgated thereunder.

II. The Commission, on the basis of information reported to it by its staff, has reason to believe that:

A. The offering circular of Auction omits to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading and contain untrue statements of material facts, primarily and among other things:

1. The offering circular fails to disclose that the auctioneer's license of Stanley Gordon, president of Auction, was revoked; and

2. The offering circular fails to disclose that Auction had been notified by the Department of Motor Vehicles of the State of California of repeated violations of the State of California motor vehicles code.

B. The terms and conditions of regulation A have not been complied with in that:

1. The offering circular fails to disclose that the auctioneer's license of Stanley Gordon was revoked; and

2. The offering circular fails to disclose that Auction had been notified by the Department of Motor Vehicles of the State of California of repeated violations of the State of California motor vehicles code.

C. The offering, if made, would be in violation of section 17 of the Securities Act of 1933.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under regulation A be temporarily suspended.

It is ordered, Pursuant to rule 261(a) of the general rules and regulations under the Securities Act of 1933, as

amended, that the exemption of United Auto Auction Systems, Inc., under regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having an interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-11158 Filed 6-4-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 266]

ASSIGNMENT OF HEARINGS

MAY 31, 1973.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 136537, D.M.T. Trucking, Inc., contract carrier application, now assigned June 5, 1973, at Washington, D.C., postponed to June 25, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 107839 sub 150, Denver-Albuquerque Motor Transport, Inc., now assigned June 11, 1973, at Phoenix, Ariz., is canceled and the application is dismissed.

MC 107295 sub 624, Pre-Fab Transit Co., now assigned June 11, 1973, at Dallas, Tex., is canceled and the application is dismissed.

MC 115841 sub 434, Colonial Refrigerated Transportation, Inc., now assigned June 4, 1973, at Dallas, Tex., is canceled and the application is dismissed.

AB-5 sub 73, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees of the property of Penn Central Transportation Co., debtor, abandonment between Nanticoke and Glen Lyon, Luzerne County, Pa., AB-5 sub 99, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees of the property of Penn Central Transportation Co., debtor, abandonment portion of Wilkes-Barre Branch between S. Danville and Wilkes-Barre, Northumberland, Montour, Columbia, and Luzerne Counties, Pa., No. 35727, Penn Central Transportation Co. (George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees) -V-Delaware and Hudson Railroad Co., et al., and FD 21989, Pennsylvania Railroad Co., merger, New York Central Railroad Co., now assigned June 18, 1973, at Wilkes-Barre, Pa., will be held at the Daniel Flood High School Auditorium, 600 North Washington Street.

MC 123681 sub 25, Widing Transportation, Inc., now being assigned hearings June 18, 1973 (1 week), at the Benson Hotel, 309 Southwest Broadway, Portland, Oreg., July 9, 1973 (1 week), at the Westbury Hotel, 480 Sutter Street, San Francisco, Calif., and July 16, 1973 (1 week), at the Roadway Inn, 154 West Sixth South Street, Salt Lake City, Utah.

AB-3 sub 2, Missouri Pacific Railroad Co., abandonment between Eudora, Ark., and Delhi, La., in Chicot County, Ark., and West Carroll and Richland Parishes, La., now assigned June 20, 1973, at Oak Grove, La., is postponed to June 25, 1973, at the Oak Grove Courthouse Building, Oak Grove, La.

MC-30844 sub 441, Kroblin Refrigerated Xpress, Inc., now assigned June 6, 1973, at Washington, D.C., is canceled and the application dismissed.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11187 Filed 6-4-73;8:45 am]

[Revised S.O. 1002, Car Distribution
Direction 93]

ATLANTA & WEST POINT RAIL ROAD CO. ET AL.

Distribution of Boxcars

Pursuant to section 1(15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(a) This order shall apply to the following railroads:

Atlanta & West Point Rail Road Co., Carolina, Clinchfield, and Ohio Railway, Seaboard Coast Line Railroad Co., and Louisville & Nashville Railroad Co., lessees.
Georgia Rail Road & Banking Co., Seaboard Coast Line Railroad Co., and Louisville & Nashville Railroad Co., lessees.
Louisville & Nashville Railroad Co., Seaboard Coast Line Railroad Co., and The Western Railway of Alabama.

(b) The railroads named in paragraph (a) herein shall withdraw from distribution and return to owners empty all plain boxcars which are listed in the Official Railway Equipment Register,

I.C.C. R.E.R. No. 387, issued by W. J. Trezise, or successive issues thereto, as bearing reporting marks Sou, CG, G. & F., and SA, assigned to the Southern Railway Co. or to the Central of Georgia Railroad Co., having mechanical designation XM, and which are less than 49 ft 8 in inside length and equipped with doors more than 8 ft in width, or which are 49 ft 8 in or longer inside length, regardless of door width. (See exception.)

(c) *Exception.*—Plain boxcars described in paragraph (b) above, located empty on any of the railroads named herein, may be loaded to any point on the Southern Railway Co. or on the Central of Georgia Railroad Co. if routed via either of those lines.

(d) *Regulations suspended.*—The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(e) *Effective date.*—This direction shall become effective at 12:01 a.m., May 30, 1973.

(f) *Expiration date.*—This direction shall expire at 11:59 p.m., June 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 25, 1973.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[FR Doc.73-11188 Filed 6-4-73;8:45 am]

[Notice 287]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312 (b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR pt. 1132), appear below:

Each application (except as otherwise specifically noted), filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before June 25, 1973. Pursuant to section 17(8) of the Inter-

state Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74008. By order of May 20, 1973, the Motor Carrier Board approved the transfer to Dockside Transportation, a corporation, Wilmington, Calif., of the operating rights in certificate No. MC-129966 issued September 3, 1968 to Solvang Freight Lines, Inc., Alhambra, Calif., authorizing the transportation of general commodities and specified commodities between specified points in California. Milton W. Flack, 4311 Wilshire Boulevard, Los Angeles, Calif. 90010, attorney for applicants.

No. MC-FC-74472. By order of May 22, 1973, the Motor Carrier Board approved the transfer to Johnson, Inc., Colby, Kans., of certificates Nos. MC-124739 and MC-124739, sub-No. 1, issued June 12, 1963, and October 27, 1966, respectively to Leslie L. Johnson, Colby, Kans., authorizing the transportation of lumber and various specified commodities from, to, and between, points as specified in Oregon, Idaho, Kansas, Nebraska, Colorado, and Missouri. Leslie L. Johnson, president, Johnson, Inc., 1045 W 6th Street, Colby, Kans. 67701, for applicants.

No. MC-FC-74478. By order of May 22, 1973, the Motor Carrier Board approved the transfer to Roger and Mary Evelyn Zelnick, a partnership, doing business as R&E Trucking, West Paterson, N.J., of certificates Nos. MC-107972 and MC-107972, sub-No. 1, issued November 21, 1963, and April 15, 1968, respectively, to Massive Trucking, Inc., Clifton, N.J., authorizing the transportation of general commodities, with exceptions, between specified points in New York and New Jersey. John M. Zachara, P.O. Box "Z", Paterson, N.J. 07509, applicants practitioner.

No. MC-FC-74484. By order of May 22, 1973, the Motor Carrier Board approved the transfer to United Freightway, Inc., North Andover, Mass., of the operating rights in permits No. MC-128389 (sub-No. 1), and MC-128389 (sub-No. 3), issued July 5, 1967 and November 17, 1967, respectively to Douglas R. Lewis, Jr., doing business as Lewis Transportation Co., Sudbury, Mass., authorizing the transportation of dry expanded shale from Plainville, Mass. to points in Connecticut, Maine, New Hampshire, Vermont, New Jersey, and New York. George C. O'Brien, 15 Court Street, Boston, Mass. 02108, attorney for applicants.

No. MC-FC-74487. By order entered May 22, 1973, the Motor Carrier Board approved the transfer to J. E. Lammert Transfer, Inc., Grand Island, Nebr., of the operating rights set forth in certificate No. MC-18352, issued December 23, 1969, acquired by Pat's Transfer, Inc., Hershey, Nebr., pursuant to No. MC-FC-73975, approved November 13, 1972, and consummated March 12, 1973, authoriz-

ing the transportation of commodities of a general commodity nature, between specified points and areas in Nebraska, Colorado, Iowa, and Wyoming. Kenneth F. Dudley, 611 Church Street, P.O. 279, Ottumwa, Iowa 52501, representative for applicants.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11189 Filed 6-4-73;8:45 am]

[Notice 283]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR, pt. 1132), appear below:

Each application (except as otherwise specifically noted), filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before June 25, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74330. By application filed May 29, 1973, J. E. LAMMERT TRANSFER, INC., 317 North Oak Street, Grand Island, Nebr. 68801, seeks temporary authority to lease the operating rights of DONALD W. CLARKE, doing business as RED CLOUD TRANSFER, Hastings, Nebr. 68901, under section 210a(b). The transfer to J. E. LAMMERT TRANSFER, INC., of the operating rights of DONALD W. CLARKE, doing business as RED CLOUD TRANSFER, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-11191 Filed 6-4-73;8:45 am]

[Notice 71]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 29, 1973.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under sections 210a(a) and 311(a) of the Interstate Commerce Act provided for under the new rules of Ex parte No. MC-67, (49

CFR part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC-732 (sub-No. 7 TA), filed May 18, 1973. Applicant: ALBINA TRANSFER COMPANY, INC., 714 North Fremont, Portland, Ore. 97227. Applicant's representative: Philip G. Skofstad, 3076 East Burnside Street, Portland, Ore. 97214. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, plywood and lumber mill products*, between points in Oregon and Washington, for 180 days. Supporting shippers: Several letters of support were filed with the application which can be examined in Washington, D.C. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, 450 Multnomah Building, 319 Southwest Pine, Portland, Ore. 97204.

No. MC-55778 (sub-No. 18 TA), filed May 18, 1973. Applicant: MOTOR DISPATCH, INC., 2559 South Archer Avenue, Chicago, Ill. 60608. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building and construction materials and supplies*, except in bulk, from the plantsite and warehouse facilities of The Celotex Corporation at or near Wilmington, Ill., to points in Iowa, Missouri, and Wisconsin, for 180 days. Supporting shipper: The Celotex Corp., P.O. Box 22602, Tampa, Fla. 33622. Send protests to: District Supervisor Richard K. Shullaw, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, room 1086, Chicago, Ill. 60604.

No. MC-107002 (sub-No. 432 TA), filed May 18, 1973. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth, P.O. Box 1123, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum*

oil, in bulk, in tank vehicles, between Natchez, Miss., and Woodriver, Ill. in round trip service, for 180 days. Supporting shipper: Calumet Petrochemicals, Inc., 14000 Mackinaw Avenue, Chicago, Ill. 60633. Send protests to: District Supervisor Alan C. Tarrant, Interstate Commerce Commission, room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC-113678 (sub-No. 493 TA), filed May 14, 1973. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80216. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Charcoal briquettes, charcoal, fireplace logs, and related items* such as lighter fluid, wood chips, and barbecue base, from the plantsite of Husky Industries, Inc., at or near Dickinson, N. Dak. to points in Colorado, Montana, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming, for 180 days. Supporting shipper: Husky Industries, Inc., 62 Perimeter Center East, Atlanta, Ga. 30346. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC-113784 (sub-No. 43 TA), filed May 18, 1973. Applicant: LAIDLAW TRANSPORT LIMITED, 65 Guise Street, Hamilton, Ontario, Canada. Applicant's representative: David A. Sutherland, 2001 Massachusetts Ave. NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hydrate lime*, in bulk, in pneumatic tank trailers, from ports of entry or the international boundary line between the United States and Canada on the Detroit and St. Clair Rivers to Trenton and Midland, Mich., for 180 days. Supporting shipper: Domtar Chemicals Limited, P.O. Box 68, Station O, Toronto, Canada. Send protests to: District Supervisor George M. Parker, Interstate Commerce Commission, Bureau of Operations, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

MC-117118 (sub-No. 476 TA), filed May 17, 1973. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Monte Alto, Edinburg, Corpus Christi, and Brownsville, Tex., to points in the United States (except Alaska and Hawaii), 180 days. Supporting shipper: Vahlring, Inc., P.O. Box 248, Elsa, Tex. 78543. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC-124692 (sub-No. 112 TA), filed May 15, 1973. Applicant: SAMMONS TRUCKING, P.O. Box 1447, Missoula, Mont. 59801. Applicant's representative:

J. David Douglas (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*, from points in Oregon and Washington, to points in California, for 180 days. Supporting shippers: Numerous letters of support were filed with application and can be examined in Washington, D.C. Send protests to: District Supervisor Paul J. Labane, Interstate Commerce Commission, room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC-128075 (sub-No. 28 TA), filed May 18, 1973. Applicant: LEON JOHNS-RUD, P.O. Box 447, Cresco, Iowa 52136. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft hanger and industrial doors*, from Riceville, Iowa, to points in the United States (except Hawaii and Alaska), for 180 days. Supporting shipper: Mosher Doors, Inc., P.O. Box 157, Riceville, Iowa 50466. Send protests to: Herbert W. Allen, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC-135887 (Sub-No. 3 TA), filed May 17, 1973. Applicant: VOYNE E. GLEASON, P.O. Box 209, Coeur d'Alene, Idaho 83814. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from San Francisco, Calif., to Coeur d'Alene, Kellogg, and Sandpoint, Idaho, for 180 days. Supporting shippers: Bill Jones Distributing Co., Box 97, Sandpoint, Idaho 83864 and Don Lavoie Distributing, 1515 Northwest Boulevard, Coeur d'Alene, Idaho 83814. Send protests to: L. D. Boone, Interstate Commerce Commission, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC-138398 (sub-No. 1 TA), filed May 17, 1973. Applicant: CHARTER EXPRESS, INC., 1959 East Turner, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Warren H. Snapp, suite 910, Fairfax Building, 11th and Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Earthenware*, (a) from Dundee, Monmouth and Morton, Ill.; and Clarksburg, W. Va., to Hannibal, Kansas City, Sedalia and Sweet Springs, Mo.; and (b) from East Liverpool and Wellsville, Ohio, and York, Pa.; to Hannibal, Mo. (2) *Coil and Sheet Steel*, (a) from Portage, Ind.; Warren and Yorkville, Ohio; Bakerstown and Pittsburgh, Pa.; and Weirton, W. Va.; to Hannibal, Kansas City, Sedalia and Sweet Springs, Mo.; and (b) from Youngstown, Ohio, to Hannibal, Mo., Under a continuing contract or contracts with Rival Manufacturing Co. of Kansas City, Mo., for 180 days. Supporting

shipper: Rival Manufacturing Co., 3600 Bennington, Kansas City, Mo. Send protests to: John V. Barry, district supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC-138632 (sub 1 TA), filed May 17, 1973. Applicant: JOSEPH F. HALE doing business as JOE HALE TRUCKING CO., P.O. Box 715, Dublin, Va. 24084. Applicant's representative: William E. Bain, P.O. Box 4308, Roanoke, Va. 24015. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated metal pipe end sections, bands, bolts and related articles*, from Dublin, Va., to points in Georgia, Kentucky, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. Supporting shipper: Lane-Pennarva, Inc., P.O. Box 67, Bealeton, Va. 22712. Send protests to: District Supervisor Clatin M. Harmon, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC-138690 (sub-No. 1 TA), filed May 18, 1973. Applicant: MAIN-TRANSIT TAXI SERVICE, INC., 7088 Transit Road, Williamsville, N.Y. 14221. Applicant's representative: Robert D. Gunderman, Statler Hilton, suite 1708, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical apparatus and appliance parts*, for the account of Westinghouse Canada Ltd., Hamilton, Ontario, between ports of entry on the international boundary line between the United States and Canada on the Niagara River, on the one hand, and, on the other, the city of Buffalo and the Greater Buffalo International Airport, Cheektowaga, N.Y., over irregular routes, in express service. Restrictions: (1) To service under contract with Westinghouse Canada Ltd. from or to its plantsites in Hamilton, Orangeville, and Burlington, Ontario; (2) the transportation of shipments in vehicles having a gross weight not exceeding 6,000 pounds for 180 days. Supporting shipper: Westinghouse Canada Ltd., 286 Sanford Avenue North, Hamilton, Ontario, Canada. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC-138722 (sub-No. 1 TA), filed May 18, 1973. Applicant: TRANSPORT SYSTEMS, INC., 3001 David Drive, Metairie, La. 70003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from New Orleans, La., docks and wharves, to the plantsite and warehouse facilities of Evans Products

Co., located at or near Memphis, Tenn. Restricted to plywood having a prior movement by water, for 180 days. Supporting shipper: Evans Products Co., P.O. Box 1188, 201 Dexter Street, Chesapeake, Va. 23324. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, T-9038, U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 138726 TA, filed May 18, 1973. Applicant: MARK SWEET AND DUANE SWEET, a partnership, doing business as WINDMILL MOBILHOME MOVERS, Route 2, Box 2020, LaGrande, Ore. 97850. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Travel trailers and mobile homes*, between points in Union and Umatilla, Counties, Ore., on the one hand, and, on the other, points in Idaho, Washington, Nevada, North Dakota, South Dakota, Montana, Wyoming, and Utah; (2) *Sectionalized buildings*, from Wallowa, Ore., 10 points in Idaho and Washington, for 180 days. Supporting shippers: Numerous, may be examined at I.C.C. offices. Send protests to: District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 Southwest Pine, Portland, Ore. 97204.

WATER CARRIER APPLICATION

No. W-1269 TA, filed May 17, 1973. Applicant: James O. Lafferty, Lawrence A. Tonn, and Wayne R. Bryan, 1130 North Jantzen, Portland, Ore. 97217. Applicant's representative: James O. Lafferty (same as above). Authority sought to operate as a *common carrier*, by water, over irregular routes, transporting: *Passengers*, in charter operations, (1) on the waters of the Columbia River and all ports and points in the States of Oregon and Washington from its mouth at the Pacific Ocean upstream to a point as far as navigable, approximately 20 miles upstream from Pasco, Wash.; (2) on the waters of the Willamette River and all ports and points in the State of Oregon from where it joins the Columbia River upstream as far as Salem, Ore.; (3) on the waters of the Snake River and all ports and points in the States of Washington and Idaho from where it joins the Columbia River upstream as far as Lewiston, Idaho, for 180 days. Supporting shippers: Numerous, may be examined at I.C.C. offices. Send protests to: District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 Southwest Pine Street, Portland, Ore. 97204.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-11190 Filed 6-4-73;8:45 am]

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